

Mr. SMITH of Illinois conferees on the part of the Senate.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 40 minutes p.m.) the Senate adjourned until Tuesday, November 4, 1969, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate November 3, 1969:

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Lt. Gen. John J. Davis, U.S. Army, of Kansas, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

U.S. MARSHAL

George A. Locke of Washington to be U.S. marshal for the eastern district of Washing-

ton for the term of 4 years, vice James E. Atwood.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate November 3, 1969:

DEPARTMENT OF DEFENSE

Robert Louis Johnson, of California, to be an Assistant Secretary of the Army.

U.S. ARMY

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Lewis Blaine Hershey, xxx-xx-xxxx, Army of the United States.

The Army National Guard of the United States officer named herein for promotion as a Reserve commissioned officer of the Army, under provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. Sylvester T. DelCorso, xxx-xx-x..., Adjutant General's Corps.

U.S. MARINE CORPS

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of major general:

Douglas J. Peacher

Charles T. Hagan, Jr.

The following-named officers of the Marine Corps Reserve for permanent appointment to the grade of brigadier general:

John R. Blandford

William J. Weinstein

Harold L. Oppenheimer

#### IN THE AIR FORCE

The nominations beginning Edward F. Abbey, to be major, and ending Martin G. Rubin, to be major, which nomination were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 13, 1969.

#### IN THE ARMY

The nominations beginning William L. Nichols, to be lieutenant colonel, and ending Donald D. Zana, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 30, 1969; and

The nominations beginning John P. Lewis, to be major, and ending James R. Powell, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 8, 1969.

#### IN THE NAVY

The nominations beginning Thomas C. Adams, to be commander, and ending Stephen L. Zwick, to be commander, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 22, 1969.

#### IN THE MARINE CORPS

The nominations beginning John W. Alber, to be lieutenant colonel, and ending Dennis A. Williams, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 22, 1969; and

The nominations beginning Lorenza T. Baker, to be second lieutenant, and ending Wayne P. Thompson, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 8, 1969.

## HOUSE OF REPRESENTATIVES—Monday, November 3, 1969

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty.—Psalm 91: 1.*

Almighty and Everlasting God, above the disturbances of our busy days and the disorders of our troubled times we would come to Thee seeking the calm of Thy holy presence. In the secret place of the Most High we would dwell, lifting our hearts unto Thee, praying for the guidance of Thy spirit and the direction of Thy wisdom as we face the experiences of another day.

Help us to serve our country with persistent faithfulness and patient fidelity that we may keep our Nation the hope of the world and the channel of peace for our generation. By Thy grace may we continue to work for the day when nation shall not lift up sword against nation, neither shall they learn war any more.

In the spirit of the Prince of Peace we pray. Amen.

#### THE JOURNAL

The Journal of the proceedings of Friday, October 31, 1969, was read and approved.

#### ROGERS ASKS DISSENTERS TO TAKE NOTE OF RETURNING HIJACKERS

(Mr. ROGERS of Florida asked and was given permission to address the

House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I hope that those who preach against and demonstrate for the overthrow of our Government will take note of the return of six Americans who hijacked planes and had them flown to Cuba.

These people, who turned their backs on their homeland, quickly realized the blessings of life in the United States compared to life under the Communist dictatorship of Fidel Castro. And it must be realized that these six returned to the United States even though they now face possible death sentences.

I think this thoroughly repudiates the propaganda that life in Cuba today is anything short of a depression level.

I hope that those who denounce the United States will take careful note of what those who have left America and experienced life in a Communist country have to say now.

#### CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

#### PROVIDING FOR THE CONVEYANCE OF CERTAIN REAL PROPERTY OF THE FEDERAL GOVERNMENT TO THE BOARD OF PUBLIC INSTRUCTION, OKALOOSA COUNTY, FLA.

The Clerk called the bill (H.R. 7618) to provide for the conveyance of certain

real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, and I shall have to object under the rules for the consideration of such legislation unless there is a good case made here at this time in reference to the legislation to show why we should pass this bill by unanimous consent when there are objections from two departments of the Government and the other department defers to the two departments that do object.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman.

Mr. BENNETT. Mr. Speaker, the bill, H.R. 7618, is a bill to provide for the conveyance of real property of the Federal Government to the Board of Public Transportation of Okaloosa County, Fla.

Over 50 percent of the real property in this county, Okaloosa County, is occupied by the Federal Government. Of the 26,000 public school students, 17,000, the vast majority, are dependents of military or civil service employees in the area.

During our hearings on this conveyance, and I am the chairman of the Real Estate Subcommittee handling this matter, and the bill is not for myself but it is for the gentleman from Florida (Mr.

SIKES), the General Services Administration objected to the bill because of the fact they claim the laws presently in existence are adequate to accomplish the proposed transaction.

The law they are talking about is the Federal Property and Administrative Services Act of 1949. This particular law would be adequate to accomplish the proposed conveyance if, in fact, the land in question were actually excess to the needs of the Air Force. However, the land involved is not excess to the Air Force requirement for its purpose. It desires to have the large acreage which is involved in this Air Force base to remain within the Air Force area. It is an integral part of the Eglin Air Force Base, and it would be quite improper for a noneducational, nonmilitary-service type of activity to be in this area. The Air Force, while recognizing the technicality involved, is willing to make available the land in question, and has written the committee to this effect:

While there exists no planned mission for the use of the land covered by this bill, it would not normally be declared surplus as it is an integral part of the Eglin Air Force Base. In addition, no foreseeable Air Force requirement exists which would result in the acquisition of other lands to replace the land which would be conveyed by this bill.

The land is presently needed for the construction of school buildings. The situation at the present time is such that 20 or 30 barracks-type classrooms are being utilized, and children are being bused 15 or 20 miles, which is inconvenient, of course, and inimical to their education.

I urge approval of this bill so that the school can be built on this land. The State of Florida has agreed to the construction of five school buildings with money of the local government and not with Federal funds.

The truth of the matter is that this is a county which is mostly military. Most of the land is military; most of the personnel in the school will be children of the military. The local government will build the school buildings, but they would like this land because it is close to where the military people are. Most of the students will be the children of military personnel. It is only a technicality which gives rise to this negative report on the part of the Department. They say they want the schools to be built there. They say they want the land to be used for that purpose.

Mr. ASPINALL. I understand the provisions of the legislation, but the gentleman's area is no different from mine, where 50 percent of my whole district is owned by the U.S. Government, as far as that is concerned.

Mr. BENNETT. But not over 50 percent of your students are military, and that is what you have here.

Mr. ASPINALL. I do not have too many of such students, thank goodness, as far as that is concerned.

Mr. BENNETT. The school is going to be for the children of military personnel.

Mr. ASPINALL. What I am trying to find out is this. There is a statement that the land is surplus, but the Air Force will not recognize it as surplus to its

needs. There is a statement in the report that the Department of Health, Education, and Welfare is opposed to the legislation. Can the gentleman assure us that the Air Force will not be asking for this amount of land someplace else, if this land is at the present time in the position that it cannot be declared surplus but can be used with their approval for the purpose stated in the legislation.

Mr. BENNETT. I would like to yield to the author of the bill on this point.

Mr. ASPINALL. I yield to our colleague from Florida.

Mr. SIKES. Mr. Speaker, I thank the gentleman for yielding. The Eglin Air Force Reservation comprises a half million acres of land. There is adequate land and there is no possibility that additional land will be needed later for air training purposes. The site for schools which we seek is located around the perimeter of the base, and next to congested built-up civilian areas. This buildup means it cannot be used for military training. The Air Force is reluctant to declare it surplus, because it is not possible to know into whose hands the land would fall if it were declared surplus. The Air Force wants it used for school purposes, because the majority of the children who would attend the facilities provided at this site are Air Force children, and children of civilian workers at the Air Force base.

We have 26,500 students in Okaloosa County; 5,500 of them do not have adequate facilities. They are either going to school in converted, substandard military barracks, or they are going to school in double shifts from 6:30 in the morning until 7 at night. It is an extremely bad situation. If we make the sites available the children can have schools.

The Air Force wants this land used for the school. It does not want it used for any other purpose, and is reluctant to declare it surplus because they feel it might fall into other hands and be denied for school sites.

Mr. ASPINALL. May I ask my friend from Florida why it is that HEW is opposed to the enactment of the bill?

Mr. SIKES. If the distinguished gentleman will yield further, the simple fact of the matter is that they have testified they are in sympathy with the proposal but they want the acquisition to go through the normal channels. They want it to be declared surplus and go through the regular channels. We have explained why it is difficult for it to go through the normal channels, with a declaration of surplus. We feel it is primarily a matter of pique on the part of the objecting governmental agencies that they are not in the chain of disposal; that the property is not going through procedures which would normally bring them into the picture.

If we lose this land which is so badly needed for schools, it will mean further delays in making schools available. This we are extremely anxious to avoid. We have already taken much longer than we should have in providing schools for the children. Their needs cannot wait and the Congress should and can help now.

The only objection the departments could possibly raise is in procedure. They

have testified they want the land used for school purposes; that they recognize the need. We do not see that it is necessary to go through normal procedures. We do know it is not good to delay this matter further. It hurts only the children.

Mr. ASPINALL. Mr. Speaker, having made legislative record that we have, I withdraw my reservation of objection.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to further interrogate the gentleman from Florida. I am familiar with the people of Volusia County, having gone to school there. They are a pretty conservative group of people.

Will they vote a bond issue on a military base to provide a school for 7,000 or 8,000 people? I am wondering first of all can the gentleman answer how much it will cost to build schools to handle the students on this 110 acres?

Mr. SIKES. Mr. Speaker, if the distinguished gentleman from Pennsylvania will yield, this measure does not have to do with Volusia County. The gentleman is thinking of the Cape Kennedy Center. The bill before us refers to Okaloosa County only.

I am glad to state the money is available to build the five schools which are needed and for which we seek to provide sites. I will also state to the distinguished gentleman, it is State and county money which will be used for the construction of the buildings.

Mr. JOHNSON of Pennsylvania. Then the gentleman assures us they will not 4 or 5 years from now come back and say they are sorry, but they do not have the money and the Federal Government must contribute.

Mr. SIKES. Mr. Speaker, if the gentleman will yield, the money is available and on hand. The school officials are waiting only for the sites to be made available. The reason these sites are so badly needed is because the area surrounding the base is built up with residences and businesses, and sites which are privately owned would be extremely costly. There is not money for both buildings and sites where the schools are needed. If these sites are not available it will mean going miles away from the area to acquire sites. This would require additional busing for the children and longer hours away from home.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, 110 acres seems like a very large tract of land. Would the whole 110 acres be needed?

Mr. SIKES. The land—135 acres—is not all in one tract. There are five tracts of land, and there will be five different buildings in as many different areas. The sites are located around the perimeter of the base. They are admirably situated for the purpose of school sites in a congested area.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I withdraw my reservation of objection. I think what they are trying to do is highly laudatory and will probably accomplish a very worthwhile purpose.

Mr. GROSS. Mr. Speaker, reserving the right to object, what would be wrong with the Air Force declaring this land surplus and with a provision in the bill



that it will revert if it is not used for the stated purpose?

Mr. SIKES. If the gentleman from Iowa will yield, the Air Force has provided me with letters which spell out the reasons for this. If the gentleman will bear with me, I will read those letters.

Mr. GROSS. I will be glad to yield to the gentleman for that purpose.

Mr. SIKES. Mr. Speaker, the letters, dated October 15 and 20, from the Air Force, Deputy Assistant Secretary—Installations—Lewis E. Turner, are as follows:

DEPARTMENT OF THE AIR FORCE,  
Washington, D.C., October 15, 1969.

HON. ROBERT L. F. SIKES,  
House of Representatives,  
Washington, D.C.

DEAR MR. SIKES: This is in response to your request for the position of the Air Force on the attached letter from HEW on the Okaloosa school site problem.

You will recall that when we met on this matter on September 26, 1969, we agreed that the proper and most expeditious course to follow to assure that the property is made available to Okaloosa County for school purposes is to proceed with action on H.R. 7618. This position was firmly supported by the Office of the Secretary of Defense on the basis that, in a technical sense, property is not "excess" if its disposal is limited to a single recipient or use. Further, under any form of an "excess" declaration on Department of Defense property, the property must be offered first to the other military services before it can be offered, in turn, to other federal agencies, state and local governments, and interested private parties. There is no way, therefore, to assure the property will not be claimed in advance by an agency other than the one desiring to acquire it.

Informally, GSA also has advised us that normally it will not accept "conditional" excess reports, except where any interest but one would hold the property as a nuisance. Also, for the same reasons noted above, GSA agrees it cannot assure the ultimate recipient of the property under the "excess" route.

I have discussed the attached HEW letter with OSD and we are agreed that it does not change our previously stated position, as the procedure outlined in the HEW letter is conditioned upon "acceptance of a report of excess limiting the availability of the four sites . . .". Therefore, the "excess" route cannot assure either that the property ultimately will be cleared for transfer to Okaloosa County or that, if it did eventually clear, the transfer could be accomplished in any reasonably short period of time.

In view of the above and the stage of legislative progress on H.R. 7618, I still feel (and OSD agrees) that the only practical course to assure transfer of property to Okaloosa County in the shortest possible time is to proceed with action to obtain Congressional approval of the bill.

Sincerely,

LEWIS E. TURNER,  
Deputy Assistant Secretary (Installations).

DEPARTMENT OF THE AIR FORCE,  
Washington, D.C., October 20, 1969.

HON. ROBERT L. F. SIKES,  
House of Representatives,  
Washington, D.C.

DEAR MR. SIKES: This is in response to your request for my reaction on the attached letter from GSA concerning land at Eglin AFB for Okaloosa County schools. My letter of October 15, 1969, gave our views on a similar letter to you from HEW.

As in the HEW letter, the procedures outlined by GSA are subject to the Air Force and the Department of Defense declaring the property in question "excess" to military requirements and the further determination

by GSA that the property is "surplus to federal requirements." As we previously discussed, and as stated in our report to the House Armed Services Committee on H.R. 7618, technically the sites are not excess. This fact, together with other factors discussed in my October 15 letter, makes it clear that the only practical course to assure that the property is transferred to Okaloosa County for school purposes is to obtain enactment of H.R. 7618.

We have been advised that H.R. 7618 was favorably reported by the House Armed Services Committee on October 16, 1969. This serves to confirm our conclusions with respect to the propriety of proceeding with action on the bill.

Sincerely,

LEWIS E. TURNER,  
Deputy Assistant Secretary (Installations).

I believe the letters explain the situation very clearly and I hope that answers the gentleman's question. While we delay we are hurting little children, we benefit no one.

The gentleman raised a point a moment ago about acreage. I believe the exact amount is approximately 135 acres. The report is not quite clear on it, but I believe the correct information is that the five tracts comprise a total of 135 acres. I want to be certain that all the facts are known on the case.

Mr. GROSS. Yes. There is a discrepancy in the report as to the amount of acreage.

Mr. SIKES. I believe the gentleman will find it is 135 acres.

Mr. GROSS. One hundred thirty-five acres is not an inconsequential amount of land in Florida these days, I would think.

Let me ask the gentleman this question: Did the Federal Government buy this land originally from someone in Florida?

Mr. SIKES. If the gentleman will yield, this was land which formerly was in the Choctawhatchee National Forest. The Federal Government acquired it some 50 to 60 years ago. The cost was approximately \$1 an acre.

In 1940 or thereabouts the property was deeded to the Department of Defense, then the Department of the Army, for use as a military reservation.

While the land is valuable land, the Government has very little invested in it. The children who need schools are more important than the dollar value and there is not money for both school buildings and school sites.

Mr. GROSS. What is the fair market value of this land today?

Mr. SIKES. I am unable to state the fair market value; but it would run rather high. The area around the base has since its establishment been built up with residences and businesses, as is usually true around military installations. If it were placed on the market it would command a considerable price.

What we are trying to say is that the money is available for construction, that the money is limited, that the schools are badly needed, and that everyone agrees on the need. We would like to get on with this work. We feel the schools are much more important than monetary return to the Government for the land.

Mr. GROSS. I am sure that was in part, the case with the San Jacinto Am-

munition Depot. That land was cheap, too, when it was first obtained near Houston, Tex., but its value was greatly enhanced. Although it was one of the best ammunition outloading facilities in the United States it was closed, and apparently the land is being sold for the purpose for which I thought it would be—to industrial interests in the area of Houston, Tex.

Let us be fair about this business. When the State of Iowa wants Government land it pays the fair market value. I cannot understand why the school district in Florida is not now paying a fair market value for this land.

I do not recall, and I do not believe the contention will be made here today, that this area, this county in Florida, held any mass meetings to keep Eglin Air Force Base from being located in that county originally.

It seems to me that 135 acres of land is being handed over to the county out of hand.

I assume—and the gentleman can correct me if I am wrong—that this county gets plenty of impacted school aid and has some ability to pay the fair market value for this land.

This land ought to be declared surplus by the Air Force, if it is going to be turned over for this purpose or any other purpose, and this county in Florida should pay the fair market value, since it was originally Government property and since this is the rule that applies to practically everyone else.

This question is raised on every bill involving this kind of property. I objected to a bill that the gentleman from Georgia (Mr. VINSON) wanted passed, to turn back Government land to a school district in Georgia. Eventually they paid the fair market value for it.

Mr. Speaker, until and unless this land is declared surplus and a fair market value placed on it, I will have to object.

Therefore, Mr. Speaker, I object and ask unanimous consent that the bill be passed over without prejudice.

THE SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

#### AUTHORIZED INCREASES IN NUMBERS AND ELIGIBILITY OF OFFICERS TO SERVE ON CERTAIN SELECTION BOARDS

The Clerk called the bill (H.R. 8664) to authorize an increase in the number of flag officers who may serve on certain selection boards in the Navy and in the number of officers in the Naval Reserve and Marine Corps Reserve who are eligible to serve on selection boards considering reserves for promotion.

There being no objection, the Clerk read the bill, as follows:

H.R. 8664

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5701 of title 10, United States Code, is amended by—

(1) amending subsection (a)(3) to read as follows:

"(3) A board to recommend captains for promotion to the grade of rear admiral and a board to recommend commanders for promotion to the grade of captain, each consist-

ing of not less than nine officers serving in the grade of rear admiral or above.”; and

(2) adding the following sentence at the end of subsection (c): “When a board convened under subsection (a) (3) consists of more than nine members, only nine officers may act upon the case of any officer designated for engineering duty, aeronautical engineering duty, or special duty; namely, the three alternate members of the same designation as the officer under consideration (or the lesser available number of such officers) plus the number of the most senior members not restricted in the performance of duty necessary to make a total of nine.”

SEC. 2. The second sentence of section 5893(b) of title 10, United States Code, is amended to read as follows: “All members of each board must be serving in a grade above the grade in which the officers that are to be considered by the board are serving.”

Mr. NEDZI. Mr. Speaker, H.R. 8664 is a bill to authorize an increase in the number of flag officers who may serve on certain selection boards in the Navy and in the number of officers of the Naval Reserve and Marine Corps Reserve who are eligible to serve on selection boards considering reserves for promotion.

This bill would remove the current ceiling of nine, and only nine, flag officers who may serve on rear admiral and captain selection boards. The Navy claimed that the captain and rear admiral boards are burdened by the tremendous workload imposed by the task of selecting admirals from among 1,500 eligibles and an even larger number of commanders eligible for captain—the latter chore consuming up to 5 or 6 weeks. The Navy also claimed that the legislation would permit the number of board members to be appropriately increased so as not only to ease the burden, but also to provide representation of officers with wider varieties of experience.

The second part of the bill would remove the requirement that Reserve members of inactive-duty Reserve promotion boards be senior in both permanent and temporary grade to all officers being considered for promotion. This would make the qualifications for examining Reserve officers equivalent to that for examining Regular officers.

Because this would make more efficient use of manpower, the committee unanimously recommends enactment of this bill. I urge your support.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REMOVING RESTRICTIONS ON THE GRADES OF THE DIRECTOR AND ASSISTANT DIRECTORS OF THE MARINE CORPS BAND

The Clerk called the bill (H.R. 9564) to remove the restrictions on the grades of the director and assistant directors of the Marine Corps Band.

There being no objection, the Clerk read the bill, as follows:

H.R. 9564

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6222(d) of title 10, United States Code, is amended by striking out the words “However,

the grade of the director may not be higher than lieutenant colonel and the grades of the assistant directors may not be higher than captain.”

Mr. NEDZI. Mr. Speaker, H.R. 9564 is a bill to remove the restrictions on the grades of the director and assistant directors of the Marine Corps Band.

The ranks of the director and the assistant directors of the Marine Corps Band are the only ones established by statute. At the present time, the director may be a lieutenant colonel and the two assistant directors may hold a rank no higher than captain.

This bill would remove the statutory restrictions. It is envisioned that the director would be promoted to a colonel and the assistant directors to the rank of major.

It seems only fitting that there should be no statute limiting the rank of director and assistant director of the Marine Corps Band to a specific grade when the other military services have no such restrictions.

I urge the adoption of this bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AUTHORIZING RETIRED OFFICERS OF THE U.S. NAVY TO COMMAND THE U.S.S. “CONSTITUTION” (IX-21)

The Clerk called the bill (H.R. 8662) to authorize command of the U.S.S. *Constitution* (IX-21) by retired officers of the U.S. Navy.

There being no objection, the Clerk read the bill, as follows:

H.R. 8662

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, the Secretary of the Navy is authorized to order to active duty a retired officer of the United States Navy for the purpose of commanding the United States ship *Constitution* (IX-21).

Mr. NEDZI. Mr. Speaker, H.R. 8662 is a bill to authorize command of the U.S.S. *Constitution*—IX-21—by retired officers of the U.S. Navy.

This legislation would allow a retired Navy officer to command the U.S.S. *Constitution*. This ship is a historic naval vessel maintained “in-commission, active status,” and is permanently berthed at the Boston Naval Shipyard. The responsibilities of the commanding officer, in addition to the usual command functions, embrace those usually associated with the positions of a museum director and curator. So that the ship may be fully developed as an extraordinary historical exhibit, the Navy believed that its commanding officer should be mature, possess an extensive knowledge of the ship and the naval period which she represents, and be able to remain associated with the ship for longer periods than the normal tour of duty. The Navy also believed that a carefully selected retired officer of the U.S. Navy would most satisfactorily fulfill these qualifications.

However, 10 U.S.C. 5955 prohibits a retired officer of the Navy from com-

mand. While this is the first time such a bill has been presented, the members of the committee believe that this situation is so unique that it will not create a precedent for other retired officers to assume command of a ship, and unanimously recommend its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ADJUSTING THE DATE OF RANK OF COMMISSIONED OFFICERS OF THE MARINE CORPS

The Clerk called the bill (H.R. 10317) to adjust the date of rank of commissioned officers of the Marine Corps.

There being no objection, the Clerk read the bill, as follows:

H.R. 10317

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 10, United States Code, is amended as follows:

(1) Section 5769 is amended by striking out subsection (d).

(2) Chapter 535 is amended by—

(a) adding the following new section:

“§ 5509. Date of rank: commissioned officers of the Marine Corps

“The President may, in accordance with the needs of the Marine Corps, adjust the dates of rank of commissioned officers of the Marine Corps.”

(b) inserting the following new item in the analysis thereof.

“5509. Date of rank: commissioned officers of the Marine Corps.”

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

“That section 5769 of title 10, United States Code, is amended as follows:

“(1) By striking out ‘Except as provided in subsection (d), each’ in the first sentence of subsection (c) and inserting ‘Each’ in place thereof.

“(2) By striking out subsection (d).”

“Sec. 2. The amendments made by this Act are effective on January 1, 1959.”

The committee amendment was agreed to.

Mr. NEDZI. Mr. Speaker, H.R. 10317 is a bill to adjust the date of rank of commissioned officers of the Marine Corps.

This bill would authorize the President, in accordance with the needs of the service, to adjust the date of rank of commissioned officers of the Marine Corps.

The purpose of the bill is to delete the provisions of law under which an officer promoted to the grade of major general in the Marine Corps is assigned the date of rank held by him in the grade of brigadier general unless such date of rank would make him senior to any other major general, thus allowing the Marine Corps to assign dates of rank to major generals in the same manner as the Army and the Air Force.

When Army and Air Force officers are promoted to major general—approximately 3 years after promotion to brigadier general—they are assigned an arbitrary date of rank in that grade immediately junior to the junior rear admiral—upper half—in the Navy, but



senior to the senior rear admiral—lower half.

The assignment of dates of rank to Army and Air Force major generals in this manner goes back to an interservice agreement some 18 years ago. The Marine Corps was not included in this agreement since, by law, the dates of rank of their major generals were firmly established. As a result, Army and Air Force officers promoted to major general receive a date of rank which makes them senior to Marine Corps major generals.

We have amended the bill to correct a technical error and to limit the adjustment of the date of rank to those officers currently serving on active duty.

I strongly urge your support for this measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PERMITTING NAVAL FLIGHT OFFICERS TO BE ELIGIBLE TO COMMAND CERTAIN NAVAL ACTIVITIES, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 11548) to amend title 10, United States Code, to permit naval flight officers to be eligible to command certain naval activities and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 11548

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:*

(1) Section 5942 is amended to read as follows:

(a) To be eligible to command an aircraft carrier or an aircraft tender, an officer must be an officer in the line of the Navy who is designated as a naval aviator or naval flight officer and who is otherwise qualified.

(b) To be eligible to command a naval aviation school, a naval air station, or a naval aviation unit organized for flight tactical purposes, an officer must be an officer in the line of the Navy designated as a naval aviator or naval flight officer.

(c) To be eligible to command a Marine Corps aviation school, a Marine Corps air station, or a Marine Corps aviation unit organized for flight tactical purposes, an officer must be an officer of the Marine Corps designated as a naval aviator or naval flight officer.

(2) Section 6042 is amended to read as follows:

"§ 6024. Aviation designations: naval flight officer

"Any officer of the naval service may be designated a naval flight officer if he has successfully completed the course prescribed for naval flight officers."

(3) The analysis of chapter 555 is amended by striking out the following item:

"6024. Aviation designations: naval aviation observer."

and inserting the following item in place thereof:

"6024. Aviation designations: naval flight officer."

Mr. CHARLES H. WILSON. Mr. Speaker, H.R. 11548 is a bill to amend title 10, United States Code, to permit naval flight officers to be eligible to command certain naval aviation activities and for other purposes.

This bill would amend the provisions of title 10 for the purpose of permitting naval flight officers, in addition to designated naval aviators, to be eligible for command of naval aviation schools, naval air stations, or naval aviation units organized for flight tactical purposes. It would also provide eligibility for similar Marine Corps command by naval flight officers of the Marine Corps.

Command of aviation units is now denied to naval flight officers by 10 U.S.C. 5942.

With the rapid advances in technology, the naval flight officer has assumed an ever-increasing role in the modern Navy. The numbers and increasing complexity of our current airborne weapons systems have engendered a continuous need for the services of the specially trained naval flight officers.

These young officers seek challenging assignments at all levels of their careers, promotional opportunities commensurate with their capabilities and performance opportunity for command assignments and a reasonable opportunity to compete for selection to flag rank. This bill would enhance those opportunities which they seek.

This legislation is urgently needed this year. When the naval flight officer program was established in 1964, certain officers from the earlier naval aviation observer program were given the new designation in order to provide the required depth of experience to the naval flight officer community.

These restricted aviation officers of the line are now approaching the rank of commander, and should be eligible to compete for aviation command in order to provide an orderly career advancement pattern.

I feel this is one of the most vital pieces of personnel legislation that we are undertaking this year and, since it can be achieved without increased cost, I strongly urge your support of it.

The gentleman from New York, the Honorable CARLETON KING, a member of the Armed Services Committee, introduced a companion bill which is identical to H.R. 11548 because he wanted to emphasize the serious morale problem in existence at the present time and to take steps to correct this problem.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### SUBMARINE OPERATIONAL COMMAND STAFFS

The Clerk called the bill (H.R. 82) to amend title 37, United States Code, to modify requirements necessary to establish entitlement to incentive pay for members of submarine operational command staffs serving on submarines during underway operations.

There being no objection, the Clerk read the bill, as follows:

H.R. 82

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 301(a) (2) (A) of title 37, United States Code, is amended to read as follows:*

"(A) during one calendar month: 48 hours; however, hours served underway in excess of 48 as a member of a submarine operational command staff during any of the immediately preceding five calendar months and not already used to qualify for incentive pay may be applied to satisfy the underway time requirements for the current month."

With the following committee amendments:

On page 1, line 5, "'(a)'" should be changed to "'(A)'". On page 2, line 2, "month" should be changed to "month;"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### FAVORING ACTIVE PARTICIPATION BY FEDERAL AGENCIES IN THE NINTH INTERNATIONAL CONGRESS ON HIGH SPEED PHOTOGRAPHY

The Clerk called the concurrent resolution (H. Con. Res. 178) to express the sense of Congress on participation in the Ninth International Congress on High Speed Photography, to be held in Denver, Colo., in August 1970.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

There was no objection.

Mr. ROYBAL. Mr. Speaker, I ask unanimous consent that a similar Senate concurrent resolution (S. Con. Res. 12) be considered in lieu of the House concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Speaker, reserving the right to object, I will ask the gentleman if this is an identical concurrent resolution to House Concurrent Resolution 178.

Mr. ROYBAL. If the gentleman will yield, it is exactly the same.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate joint resolution, as follows:

S. CON. RES. 12

Whereas high-speed photographic techniques can magnify the time scale of scientific phenomena revealing parameters for research, engineering, and testing that are extremely important to every nation; and

Whereas the First and Fifth International Congresses on High Speed Photography were held in the United States of America, as organized and conducted by the Society of Motion Picture and Television Engineers; and

Whereas the Fifth International Congress on High Speed Photography in 1960 was supported by the Federal Government, as expressed in the S. Con. Res. 75 in 1959; and

Whereas other meetings were held in Paris, London, Cologne, The Hague, Zurich, and Stockholm, and in each instance these meetings have received the recognition and the support of the governments of the respective host countries; and

Whereas with each meeting the International Congress on High Speed Photography

has grown in prestige and stature, and attracts more countries in a continuing growth pattern; and

Whereas the importance of high-speed photography is reflected in nearly all of the physical sciences, including medical, biological, space, and many other fields; and

Whereas the Society of Motion Picture and Television Engineers is once again sponsoring the International Congress on High Speed Photography in Denver, Colorado, in August 1970 and is desirous of representing the United States of America as the host country in the best possible light; and

Whereas the Congress is fully appreciative of the importance of assuring this international scientific meeting is conducted in a manner which will bring credit and enhance prestige to the United States of America; and

Whereas it is the belief of the Congress that—

(1) the democratic environment of the free world is the best environment for the achievement in science; and

(2) scientists and engineers have special advantages and opportunities to assist in achieving international understanding since the laws and concepts of science cross all national and ideological boundaries; and

(3) high-speed photography is a universal tool in science, important to nearly all sciences internationally, and the International Congress on High Speed Photography is an excellent means of disseminating the advances in technology; and

Whereas the Congress is interested in (1) promoting international understanding and good will; (2) enhancing the excellence of American science, both basic and applied; and (3) furthering international cooperation in science and technology by creating the necessary climate for effective interchange of ideas: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* That it is the sense of the Congress that all interested agencies of the Federal Government should participate actively to the greatest practicable extent in the Ninth International Congress on High Speed Photography to be held in Denver, Colorado, in August 1970, under the sponsorship of the Society of Motion Picture and Television Engineers.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

A similar House concurrent resolution (H. Con. Res. 178) was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

#### DEPARTMENT OF DEFENSE PURCHASE OF CALIFORNIA TABLE GRAPES

Mr. RYAN. Mr. Speaker, today I am reintroducing my bill, which is cosponsored by 10 of my colleagues, to forbid the Department of Defense from purchasing California table grapes.

Since 1965, the United Farm Workers of California have been attempting to obtain recognition for collective bargaining purposes. This effort has been supported by a national boycott of California table grapes.

In 1965, the Defense Department was the 17th largest purchaser of California table grapes; in 1968, it was the third largest purchaser.

Last February I formally called upon the Secretary of Defense to cease buying California table grapes. This should be merely an administrative matter; no legislation should be necessary. But, since

the Defense Department insists upon purchasing the grapes, legislation is necessary.

By purchasing California grapes, the Defense Department, an agency of the U.S. Government, is lending its power to efforts by the grape growers to break the strike.

The Defense Department has continued to increase its purchase of California grapes. In fiscal year 1966, the Department bought 7.5 million pounds. In fiscal year 1969 it purchased 10.42 million pounds. The cost increased from \$1.04 million in fiscal year 1966 to \$1.7 million in fiscal year 1969.

There has also been a large increase in grape shipments to Vietnam. In fiscal year 1967, 468,000 pounds were shipped to Vietnam. In fiscal year 1969, the amount of grapes shipped to Vietnam increased to 2.1 million pounds. However, at the same time, troop strength in Vietnam rose from 392,000 to 539,000 men. The troop figure increase is about one-third higher in 1969 than in 1967, but the grape shipment increase, for the same period of time, is about five times higher.

Mr. Speaker, I again urge the Department of Defense to discontinue buying California table grapes as long as the national boycott is in progress and until the strike is settled. And I urge my colleagues to support this legislation as well as the amendment to accomplish this purpose which I intend to offer when the Department of Defense appropriations bill is brought to the floor of the House.

The following Members of the House are cosponsoring the bill: Mr. BINGHAM, Mr. BROWN of California, Mr. BURTON of California, Mrs. CHISHOLM, Mr. CONYERS, Mr. EDWARDS of California, Mr. FARBERSTEIN, Mr. ROSENTHAL, Mr. ROYBAL, and Mr. SCHEUER.

#### THE PURCHASE OF GRAPES BY THE DEFENSE DEPARTMENT AS COMPARED TO THE MAYOR'S ELECTION IN NEW YORK CITY

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I notice in the paper that the gentleman from New York (Mr. WILLIAM FITTS RYAN) had endorsed the candidacy—I do not know what party he is running on, certainly not Democratic or Republican—Mr. Lindsay for mayor. I would have thought he could not have gotten elected unless the gentleman from New York was up there helping him today. But, apparently, the gentleman from New York (Mr. RYAN) chose grapes above Lindsay and I think that is a proper priority. I think even one grape would be better than Lindsay.

#### BANNING THE USE OF DDT

(Mr. OBEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. OBEY. Mr. Speaker, 2 weeks ago the Secretary of House Education and Welfare banned the use of cyclamates

because scientific tests revealed the presence of malignant tumors in laboratory animals exposed to strong dose levels of cyclamates.

Today 20 Members of Congress have joined me in asking President Nixon to issue an Executive order or directive banning the use of DDT for the same reasons.

First. As far back as 1947 the Food and Drug Administration found increased incidences of liver tumors in rats which were fed DDT.

Second. On May 1 of this year the National Cancer Institute reported that DDT added to the diet of mice quadrupled the frequency of tumors of the liver, lungs, and lymphoid organs.

Third. Hungarian scientists reported similar findings concerning the relationship of DDT and the development of tumors and leukemia.

Fourth. A recent university of Miami medical school study revealed that the bodies of persons who died of cancer contained more than twice the DDT concentration as persons who died of accidental causes.

Fifth. We know the DDT concentration in mother's milk has been found to be more than twice as great as the concentration permitted in cow's milk sold for public consumption.

Czechoslovakia, Sweden, and Denmark no longer allow the use of DDT. The administration banned cyclamates because evidence was present that they might cause cancer. We are asking that except in emergency situations, DDT be banned for the same reasons.

The letter follows:

NOVEMBER 3, 1969.

The PRESIDENT,  
The White House,  
Washington, D.C.

MR. PRESIDENT: On April 21, 1969, Health, Education, and Welfare Secretary Robert Finch declared that "the health of our citizens is properly and first concern of this Department." Citing his "increasingly concerned" attitude toward pesticide pollution, the Secretary said, "It is time to question the continued use of persistent pesticides from our environment. . . ." At that time he appointed a Commission on Pesticides to study "environmental pollution and its consequent risks to the health of our citizens." This Commission was to make a report and submit suggestions for action within six months.

Last week concern for the health of our citizens prompted Secretary Finch to announce that cyclamates would henceforth be removed from the list of substances generally recognized as safe for use in foods. The Secretary's action was in response to findings that "the presence of malignant bladdered tumors (were found in laboratory animals) after these animals had been subjected to strong dose levels of cyclamates for long periods."

We believe recent evidence makes it clear that persistent pesticides, including DDT, are as potentially damaging to human health as cyclamates. In light of Secretary Finch's action last week and recognizing the fact that his Commission on Pesticides has not publicly come forth with any evidence to the contrary, we hereby urge you to ban the use of DDT except in cases where it may be absolutely necessary to protect the public health and safety.

Available scientific findings certainly suggest that DDT may have cancer-causing potential, and is, therefore, a potential risk to the public health. Some of these findings include the following:



1. As far back as 1947 a study by the Food and Drug Administration showed that when DDT was fed to rats there was an increased incidence of liver tumors.

2. Hungarian scientists recently examined more than 1,000 mice from five generations after adding three parts per million DDT to their diets. They found that 28% of the mice getting DDT developed tumors, while only 3.8% of the mice on clean food had tumors. Leukemia appeared in 12.4% of the DDT mice, but only 2.5% of the others.

3. On May 1, 1969, the National Cancer Institute reported that DDT added to the diet of mice quadrupled the frequency of tumors of the liver, lungs, and lymphoid organs. According to that report, DDT was one of 11 compounds "clearly tumorigenic for the strains of mice used at the high dose levels which were administered". Similar evidence was found by scientists at the Rowell Park Memorial Institute in Buffalo, New York. Certainly this is no less compelling evidence regarding the dangers of DDT than that which caused Secretary Finch to act against cyclamates.

4. In studies done at the University of Miami School of Medicine, it was found that the human victims of cancer had more than twice as much DDT in their fat as did victims of accidental death. We do not know if the increased amount of pesticides caused the cancer of these victims, or if there was any relationship between the two, but this is something which can be ignored only at our own risk.

5. Researchers at the University of Wisconsin, among other places, have found indications that pesticides are a genetic hazard to man, capable of producing mutations. And, as one scientist at the University of California recently stated: "No responsible persons could now get up here and say that this constant nibbling at our steroids (sex hormones) is without any physiological effect. It would be irresponsible."

6. We know that DDT is passed on to the human fetus via the mother's placenta. We know, too, that the situation has become so serious that the DDT concentration in mothers' milk has been found to be more than twice as great as the concentration permitted in cows milk which is sold for public consumption.

Czechoslovakia, Sweden and Denmark no longer allow the use of DDT. Arizona, California, and Michigan have banned its use. We believe it is time that DDT be banned in every state, consistent with measures which may be needed to protect the public health and safety.

Because a number of government agencies deal with DDT—including the Department of Agriculture, which registers it for use, the Food and Drug Administration which sets tolerance levels for food, the Interior Department, which conducts research on the hazards it has to fish and wildlife, and the Public Health Service, which does research on the hazards associated with the use of pesticides—it would be difficult for just one agency to act on this matter.

Therefore, we strongly urge that you issue an executive order or directive banning the use of DDT except in instances where it is absolutely required, and that all government agencies take whatever action is required to fulfill the intent of this order.

Sincerely yours,

David R. Obey, Marvin Esch, Daniel Button, Joseph Karth, Arnold Olsen, Don Edwards, Clarence Long, Jonathan Bingham, William Clay, Thomas Rees, George Brown, Jr., Jerome Waldie, James Kee, Edward Koch, Richard McCarthy, Abner Mikva, Benjamin Rosenthal, James Scheuer, Leonard Farbstein, Bertram Podell, William Barrett, Members of Congress.

## CBW AND NATIONAL SECURITY

(Mr. DELLENBACK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DELLENBACK. Mr. Speaker, it is my privilege as chairman of an informal study group to announce completion of an intensive examination of the strategic and tactical implications of chemical and biological weapons. A study of this length cannot exhaust all the implications of chemical and biological warfare, but the sponsors of the study group paper, along with 12 other Members of Congress who have become associated with this examination, believe the document contains perspectives and recommendations worthy of consideration by this Congress and the administration.

At this time, I would like to cite three other Members who joined with me as sponsors of this study group. They are CHARLES A. MOSHER of Ohio, HOWARD W. ROBISON of New York, and FRED SCHWENGEL of Iowa.

The following Members of Congress have joined the study group in encouraging, through the release of this paper, a reexamination of the strategic and tactical purposes served by chemical and biological weapons: MARVIN L. ESCH of Michigan, PETER H. B. FRELINGHUYSEN of New Jersey, GILBERT GUDE of Maryland, FRANK HORTON of New York, PAUL McCLOSKEY of California, JOSEPH M. MCDADE of Pennsylvania, F. BRADFORD MORSE of Massachusetts, OGDEN R. REID of New York, PHILIP E. RUPPE of Michigan, HERMAN T. SCHNEEBELI of Pennsylvania, ROBERT T. STAFFORD of Vermont, and CHARLES W. WHALEN, JR. of Ohio.

## CBW AND NATIONAL SECURITY

### INTRODUCTION

The recent concern about safety procedures in the handling of chemical and biological weapons has caused us to re-examine the purposes for which we have these weapons. Our effort has necessarily involved analysis of the advantages and disadvantages of CBW in each of the situations our country faces or might face. Accordingly, we have considered chemicals and biologics as deterrents to all-out war and as tactical weapons in limited wars. It stands to reason that the judgment of the Congress concerning the future of these weapons must be based on this kind of analysis.

We need to determine whether these weapons are valuable additions to our already impressive arsenal of conventional and nuclear weapons. It is not justifiable to continue developing, producing and testing chemical and biological weapons simply because we can develop safe testing and storage procedures for them. Also, we cannot logically accept the rationale that we need chemical and biological weapons simply because some other country is engaged in CBW production. Similarly, it is not enough to say that they enhance "flexibility": one must analyze their specific advantages. Only weapons which add a positive measure to our overall national security deserve support.

As a result of our inquiry, we question whether chemical and biological weapons add significantly to our security. The risks we run by using and maintaining secret stockpiles seem to outweigh the dubious advantages offered by these weapons.

On this page and the next page, we will present a few of our concerns, highlighting

rationales which are elaborated in the main body of the paper. Here we will also offer some recommendations.

As deterrents to all-out war, chemical weapons are neither more cost-effective nor certain than our nuclear deterrent. Biological weapons are doubly uncertain as mass killers. On the one hand, their effectiveness can be blunted by extreme weather conditions or unpredictable biological reactions. On the other hand, a successful attack by us could initiate an epidemic that might spread to infect our own population. When a weapon is potentially dangerous to both the attacker and the attacked, retaliatory threats lack sufficient credibility.

Although many have accepted the notion that CBW weaponry is humane, we are dubious. Many of these weapons are naturally inhumane, while others which could theoretically be used to reduce war deaths have actually been used to increase them. Contrary to the assumption that weapons which have been secretly developed and tested for years will perform effectively in the field, many of them have not significantly improved our military position and many more cause severe ecological damage which may make them less acceptable than conventional weapons.

We suspect that virtually all CBW is highly escalatory in limited war. When we fight limited conflicts to avoid all-out war, chemical and biological weapons may push us toward total war. When we are willing to escalate, chemicals and biologics are very likely at least as escalatory as tactical nuclear devices.

Finally, we find that in the field of CBW there appear to be unique opportunities to disarm voluntarily or on a negotiated basis. There is genuine international interest in reaching a negotiated settlement on CBW, yet it is doubtful that the elimination of our chemical and biological stockpiles would result in significant military loss.

We are cognizant of the dangers associated either with using these weapons or secretly continuing to produce and stockpile them. There are already indications that our use of chemicals causes serious and permanent damage. Yet, even this damage is small when compared to the unpredictable misery that a full-scale biological attack might initiate or the total war that a chemical attack might provoke during a limited conflict. By possessing these weapons we increase the likelihood of use. In addition, we risk an international incident when an unexplained epidemic provokes charges of a secret biological attack. Finally, these uncertain weapons have a destabilizing effect on relations between adversaries because they make rational calculations difficult.

Because the logic of this paper suggests that the disadvantages of CBW outweigh their marginal advantages and because it takes into account both the evils and the alleged benefits of CBW weaponry, we recommend careful consideration of the following actions:

(1) Eliminating all stockpiles of chemical and biological weapons, including any low-level chemicals designed for military use. This does not include riot control agents used for crowd control in the U.S.

(2) Publicizing the results of future research in the field of CBW.

(3) Encouraging international agreement on the prohibition of chemical and biological production and usage.

(4) Ratification by the U.S. of the 1925 Geneva Protocol.

(5) Declaring that the United States will not use such weapons but will respond to their use by adversaries with appropriate conventional or nuclear force.

### I. THE WEAPONS

The term "Chemical and Biological Warfare" is a misleading one. It is not a form of warfare but rather a conglomeration of

weapons which must be incorporated into the military strategies and doctrines which have already been developed to maintain our defense posture. The sweep of the phrase masks the diversity of our silent arsenal.

The purpose of this study is to outline the role that chemical and biological agents could play in our overall defense strategy. Where possible, we have attempted to evaluate the merits of the systems as an alternative to those weapons already in use. We also consider briefly the possibility of a negotiated agreement on the production of chemical and biological agents.

It is important that chemical and biological agents be constantly regarded as alternative weapon systems. If objective evaluation indicates that they do not prove better than present armaments, there can be no justification for adding them to our arsenal. Different criteria are unsatisfactory. Maintaining the primacy of flexibility is an imprecise position. If two weapons are of unequal value, certainly only the better one should be deployed. If they are equal, joint deployment is unnecessarily wasteful.

Arguing that the U.S. must develop a weapon because an adversary is doing so is not logically adequate; it is a rationalization of advocates. Keeping up with the Joneses in weapons development is useful only when our own security requires that enemy systems be duplicated. This reasoning was relevant during the recent ABM debate. We did not need an ABM because the Soviets had one. We needed it only if our deterrent force would be vulnerable without it. Likewise, American stockpiles of CBW are not justifiable merely because of Soviet initiatives.

#### A. The differences between chemical and biologicals

There are several different categories of possible chemical and biological weapons. Toxins, which are produced by biological organisms but cannot themselves reproduce, have been classed with chemical agents in this study as they were in the UN Report on CBW. (See appendix). While there are significant differences between categories, the basic characteristics of chemical agents are different enough from those of biological weapons that general distinctions between the two classes are both possible and helpful. Biological agents are living organisms which reproduce, chemical weapons are not. It is this basic difference which accounts for the major variations between them.

##### 1. Extent of Effects

Because they are alive, biological agents can pose a danger for a long time and affect a wide area as they reproduce. Chemical agents are effective for only a relatively short time and the area they affect is determined solely by the size of the initial attack and the weather conditions in the strike zone. Thus, when an attack must be controlled geographically, chemical agents are preferable to their biological counterparts. Yet when a general attack is called for, biological weapons are more relevant.

##### 2. Speed

Speed is often absolutely necessary in a military engagement. With the exception of defoliants which require several days to achieve maximum results, chemical weapons can act immediately or within a few hours. In comparison, biological agents are extremely slow. The quickest take at least a day to act and some have incubation periods of three weeks.

##### 3. Duration

The two systems also differ markedly in their duration of effect. The living organisms of a biological weapon may lie dormant for years or centuries before finally infecting humans. Decontamination of infectious areas is difficult at best and impractical for large areas. Chemicals may evaporate relatively

soon after an attack, but under certain environmental conditions or after repeated use, areas may remain contaminated for months.

##### 4. Intensity

Some chemical agents are short-term in capacitants, but the most dangerous are those which are designed to kill quickly. Even those previously characterized as temporary have been found to have lingering side-effects such as permanent damage to the eyes or lungs. Conversely, although biological weapons are usually considered lethal, some organisms have been developed which cause illness for a while but make eventual recovery possible.

#### B. Military characteristics

To be useful additions to our military arsenal, these weapons should meet a number of criteria. They should be easily delivered, cheaply produced, difficult to defend against, effective under all weather conditions and reasonably controllable. Chemical and biological agents measure up to some of these standards but fall short of others.

##### 1. Delivery

Chemical agents can be delivered in almost any form. They can be dispersed in aerosol sprays, hand grenades or small rockets. In addition, aerial spraying as well as bomb and missile attacks can be used. These systems can also deliver biological weapons, although short-range delivery vehicles are dangerous since the disease could easily return to the attacking troops. A unique delivery method for biological weapons is sabotage. A fifth-column movement is virtually undetectable; and a small amount of infectious biological organisms could quickly spread in the atmosphere or through a water supply to infect population centers. Yet for a large-scale attack the most probable delivery method would be an aerial spraying from a missile or airplane.

##### 2. Production

Both chemicals and biologicals can be cheaply and quickly produced in massive quantities with available laboratory and industrial equipment.

##### 3. Defensibility

Defenses against the agents can be directed against the delivery systems or the agents themselves. Luck seems to be an essential part of the defense against sabotage attempts, but defense already developed against bombers and missiles should be equally effective whether CBW or nuclear warfare is being attempted.

Some chemical and biological agents are susceptible to medical treatment. But this treatment must be swift and certain. Because of the necessity for speed, the agent might be incorrectly identified. The wrong antidote for a chemical attack could kill the intended victim; a disease will continue unchecked if the wrong biological antibiotic is prescribed.

Of course, protective measures are possible only after an attack is detected. Nerve gas is odorless, colorless and tasteless. Unless troops correctly identified an incoming rocket as a chemical one before impact, one-third of them could die before they had a chance to don gas masks. Thousands of citizens could be fatally infected by a saboteur's biological attack before officials learned of the deadly contamination. Thus, defense against surprise attacks is extremely difficult and should be largely discounted when setting policy.

##### 4. Weather Dependence

An unfortunate change in weather conditions can greatly reduce the effectiveness of both types of weapons when they are dispersed in aerosols or impact explosion devices. Because of this tenuous dependence on the weather, they are not reliable military aids.

##### 5. Controllability

On the other hand, even when weather conditions are favorable an effective attack cannot be easily controlled. In some cases

the area affected is indeterminable. In others, the intended victims are not the only victims. There is a constant danger that lingering effects will wreak havoc in the area for years after the war ends.

When chemical weapons affect a region, they may affect all men and animals in the area. Herbicides can be confined to a specific area. But while they are aimed only at plant life, they may also directly affect the local human and animal populations.

Most biological agents infect only one species, but the infection can spread endlessly, affecting areas far from the initial attack which may not be involved in the war.

Perhaps the most frightening dimension of these weapons is their long-term effects. Even seemingly harmless defoliants now being employed in tactical situations can affect the overall ecological balance of the area and promote extinction of those species which depend on the foliage for nourishment. Plant diseases may make critical inroads into the food supplies of already starving nations. Biological agents could linger in an area and rekindle an epidemic long after treaties were signed and enmity had ceased. They could renew the pangs of war when only historians remember why the war began.

#### C. Military missions

Because of the distinctions between the two types of weapons, their military missions are quite different. Chemical agents are considered tactical weapons, to be used in limited engagements. They act quickly and remain in a relatively limited area under favorable weather conditions. They can therefore be incorporated into larger battle plans.

Lethal biological weapons are reserved for all-out conflicts. Once they infect a population, an epidemic of unforeseeable proportions is possible. No battlefield operation calls for such devastation.

## II. THE STRATEGY

Knowledge of the military characteristics of these weapons makes possible an examination of their implications for national security.

Our national security depends both on an ability to deter attack and on a capacity to defend against one should deterrence fail. Defense strategy is a purely military science; whereas our deterrence strategy determines our diplomatic posture and public image throughout the world. While the two concepts are related, they are not the same. Many policy discussions suffer because they assume that whatever is good for defense is of equal benefit to deterrence. This is not necessarily so. Weapons which make military victory more probable may also make victory necessary by making war more likely.

National policy makers have relied upon two basic theories of deterrence and defense: counterforce and finite deterrence.

#### A. Counterforce

Counterforce strategy, as the term suggests, is directed at the military force of the enemy. It hopes to disarm the enemy quickly by destroying his weapons. If it is successful the enemy will be forced to quietly surrender, accept a stalemate or face extinction. The strategy focuses on military targets, not population centers.

CBW does not contribute to our counterforce posture. In an all-out war, these weapons cannot stop incoming missiles or blunt their destructiveness. They cannot ground planes or destroy missiles in their silos. Their primary function would be to attack population centers.

Even if it were assumed that we could become involved in a war which prized strikes against munitions factories during a protracted test of industrial strength, CBW would not be significantly better than conventional tactics. Biological attacks would be difficult to pinpoint and the general population could be afflicted. Chemical agents might be controlled, but they would kill people



while leaving the enemy's industrial capacity intact. In both cases, new workers could resume production and repeated strikes would be necessary. Conventional sorties which destroyed the factories themselves would be far preferable in such an unlikely war situation.

#### B. Finite deterrence

The strategy of finite deterrence focuses on population attacks and is more suitable for CBW. This strategy attempts to prevent war by making victory so costly or so unlikely that attack is an enemy's least acceptable option. The main focus is on all-out war. We attempt to discourage aggression by threatening retaliation against population centers which would make victory too costly. Presumably any opponent perceives a level of damage which would be unacceptable when set against the gains expected from victory. Since this damage threshold is measurable and thus finite, the retaliation we threaten is finite. Accordingly our posture is termed one of finite deterrence. Once this damage threshold is reached, there is no reason to exceed it. The enemy will be deterred when the minimum threshold damage is assured. Threats of more damage will not produce more deterrence.

An essential element is this strategy is flexibility. The level of damage threatened must be correlated with the attacker's stance. Too little will not deter. Too much in a limited conflict will be disproportionate and thus either irresponsible or unbelievable.

When completely articulated, the theory attempts to respond to aggression at whatever level it is offered with a two-fold purpose in mind. First, enemy victory must be forestalled. Second, conflicts must be decided at the lowest possible level of violence. Consequently, there are three major facets to finite deterrence strategy: minimum deterrence, which makes all-out war politically and morally unacceptable; limited war, which seeks to counter all other forms of force or blackmail; and arms control, which attempts to keep tensions low by keeping force levels low and balanced between adversaries.

Minimum deterrence seeks to maintain an invulnerable strike force capable of inflicting unacceptable losses on the enemy by attacking his population. Of course this threat is only credible if it is used to deter a minor land probe since it would immediately escalate a local conflict into a world-wide conflagration.

The technique of limited war was incorporated to react to localized threats which do not warrant total war. If our limited war capabilities are great, we should be able to deter attacks in any form by threatening an appropriate level of violence.

To deter attacks and keep the attacks that cannot be deterred as small as possible, arms control is a major goal of any strategy of finite deterrence. Arms control also aids deterrence by reducing international tensions which increase the chances of war. While complete disarmament is not feasible, at least for the present, some arms control is a reasonable and highly desirable goal. Another section of this paper will consider the importance of including CBW in such controls.

#### 1. Minimum Deterrence

##### (a) Civil defense possibilities

Since minimum deterrence threatens to strike a terrible blow to the civilian population of an enemy, civil defense measures might reduce casualties and defeat the purpose of the deterrence measures. However, as a practical matter, civil defense cannot be relied upon to nullify the threat of CBW. Detection of a covert attack is difficult if not impossible. The measures required to protect a population even if an attack is anticipated or identified are highly impractical. Pres-

surized shelters with air filters would be required to prevent exposure to a continued buildup of harmful agents. In addition, sophisticated laboratory equipment and biological experts would be needed in every shelter to identify and treat diseases before a general epidemic struck underground. Thus, civil defense should not give a victim solace or an attacker pause. The success of a CBW attack will not be significantly diminished by civil defense measures taken against it.

Civil defense against nuclear attacks aimed at population centers cannot avoid millions of deaths in the immediate blast area, even though some civilians might survive deadly fallout if adequate shelters were available. Thus, nuclear weapons will remain a credible deterrent despite attempts to develop civil defense systems.

Because all three weapons can elude or overwhelm civil defense systems, population vulnerability is high regardless of which type of attack is considered. Yet, aside from civil defense considerations, there are significant differences in the application of deterrence strategy to chemical, biological and nuclear weapons.

##### (b) CBW as a deterrent

Lethal chemical weapons such as nerve gas would probably require more delivery vehicles than nuclear weapons to achieve the same unacceptable level of damage. Since their range is determined by the wind direction and velocity, several gas missiles would be necessary to inflict damage equal to that of a single nuclear warhead. If delivery costs were an important factor, nuclear strikes would be more attractive since fewer missiles would be necessary. If assured destruction were the aim, nuclear weapons would again be chosen, since wind and weather conditions could blunt a chemical strike but leave a nuclear blast unaffected.

Yet chemicals might still be retained as a deterrent force. They could be responsible for avoiding a purely chemical attack. A special case has been made for retaining a substantial lethal stockpile in Western Europe to deter a major conventional and chemical onslaught from the East. It is feared that if the U.S. were to abandon its chemical stockpiles, the East would seize upon a tempting opportunity to use lethal chemicals with great success.

Some fear that the West would be faced with an unfortunate triad of options if it did not retain chemicals. NATO might be forced to retreat while suffering heavy casualties from persistent gas attacks. It might equip its troops with protective clothing while ceding a mobility advantage to the East which could be decisive. Finally, it might respond with tactical nuclear weapons to exact a casualty toll from the East similar to the losses its own forces suffered from gas attacks.

It is argued that a substantial arsenal of lethal chemicals could avoid this difficulty, since gas responses to gas attacks would force the East to don protective clothing and make mobility difficult for both sides for the duration of the war. The East might be successfully deterred from using gas if it realized that the West was prepared to respond in kind and neutralize its short-lived tactical advantage.

Yet this scenario is not necessarily a convincing case for a lethal chemical arsenal. It obviously does not weigh the risks of possession which we outline below. In addition, a large-scale conventional war in central Europe may not be possible. Escalation to tactical nuclear weapons or expansion of the war to homelands may be virtually automatic. Certainly it is difficult to imagine a war in Europe which began with lethal chemicals on one or both sides and did not quickly escalate to other weapons and other battlefields.

Yet the most important distinction which must be made in reviewing this scenario is

one between deterrence and defense. While some may flinch at the thought of actually using tactical nuclear weapons when another course is open, it is not clear that the threat of nuclear retaliation would not be effective in deterring chemical warfare in Europe. If tactical nuclear devices can deter a chemical attack, the issue of actual retaliation becomes moot.

Finally, actual defense with chemical weapons may not be significantly better than with nuclear devices. There are no meaningful civil defense measures against either weapon. Both sides would have to assume that tactical nuclear weapons might be used against them and disperse their forces accordingly. This would mean that even strikes at clearly identified military targets with either weapon would involve substantial civilian and military losses. Thus, the different intensity between lethal chemical attacks and low-level nuclear blasts might be small and the case for chemical responses to chemical attacks would be marginal.

Biological weapons have also been justified as a deterrent force. There again is no practical civil defense. The delivery systems are as invulnerable as nuclear vehicles, and it seems reasonable to assume that both superpowers will remain vulnerable to a full-scale missile attack for the foreseeable future. A fifth column of saboteurs should remain potent in spite of unforeseen advances in missile and bomber defenses. Nevertheless, biological attacks are not a successful deterrent threat.

Effective deterrence must result from a credible threat of assured destruction judged unacceptable by a potential aggressor. Yet it is reasonable to conclude biological warfare neither assures destruction nor allows for a credible threat.

Even after a biological strike began, the extent of the damage would be unknown. Aerosols would be the most likely delivery method for a large-scale biological attack. Yet reliance on them means that extreme weather conditions might kill the organisms before they had an opportunity to infect the population. Certainly it would be difficult for an attacked nation to wait patiently for perfect weather conditions for retaliation. Consequently, the possibility of a complete failure is a constant danger in biological warfare and the requisite of assured destruction is lacking.

The credibility of a biological threat is undermined by the frightening prospect of a successful attack—one which initiates an epidemic. The disease could be uncheckable. The plague would honor no natural or national boundaries. Once the infection was identified, a terrified population would scurry in all directions to avoid contamination. Yet they themselves would be the carriers who would transform a localized attack into an international tragedy.

Even laboratories with controlled environments and strict safety precautions have been unable to completely avoid infection by these lethal agents. Only strict quarantine procedures and a fair amount of luck have prevented several research accidents from becoming general epidemics.

Uncontrollable biological weapons could endanger their user; they might return to infect his population. The unbridled infection he had unleashed could return to destroy the attacker as well as the attacked. Even a country which was confident that it possessed a secret antibiotic could not launch such an attack. Living organisms often change their characteristics as the result of a mutation. Hardy mutant strains could continue to spread disease after the administration of antibiotics which would have neutralized the original disease strain but which proved ineffective against this new breed of killers.

Of course any threat to exterminate millions of people is incredible. But one is more

incredulous when posed with a threat of biological destruction than when a nuclear threat is maintained. By developing "clean" bombs we have attempted to minimize the residual effects.

Our own population might suffer if we retaliated. Consequently, population losses in the U.S. would have to result from a decision by the enemy to launch a second salvo of missiles targeted on our cities. There is a very real possibility that an enemy leader would pause under the stress of a nuclear exchange and accept defeat before issuing a death warrant for another score of megadeaths. Biological weapons do not afford this opportunity to avoid mass destruction in both the attacking and attacked nation; a single disease can spread over both populations without waiting for a second decision from an opposing leader. Thus, while a nuclear retaliation makes national suicide a possibility because a devastated foe might decide to slaughter his enemy, a biological attack makes self-destruction dependent both on the course of an uncontrollable epidemic, and upon the unpredictable decision of an adversary.

Thus it seems that our overall deterrence posture would not be significantly enhanced by the threat of a biological response. The brinkmanship inherent in modern day aggression would be buoyed by the hope that retaliation would be unsuccessful. In addition, the threat of a biological response loses its credibility as the likelihood of success increases. An effective attack carries with it the fearsome danger of a global epidemic which could sweep all before it, friend and foe alike. Accordingly, the threat of a biological response may be either the threat of no response or of retaliation so costly to both sides that it might not be believed and thus not heeded.

Nuclear weapons are significantly better than biological ones for deterrence purposes. They are just as fearsome and more certain and controllable. Sole reliance on nuclear threats should preserve a credible deterrent for the U.S. Adding a biological menace would not significantly improve that deterrent.

Successful biological attacks are at least as humanly destructive as nuclear strikes. Thus, there is no reason to prefer a biological response in hopes of avoiding all-out nuclear war. Both deal death in massive proportions.

#### (c) The vicious response

Relying on biological weapons as a vicious military response to an all-out attack has little justification. A biological reaction to either a biological or nuclear strike might be extremely damaging and yet less effective than a nuclear response.

We indicated earlier that the incubation period for lethal organisms is from one day to three weeks. This incubation period begins only after a victim has contracted the disease. Thus, while an attacker is busily destroying its enemy's wealth and population, the beleaguered victims must wait patiently for their deadly infection to fester. In the meantime, they must accept unmerciful punishment. All the while, the original attacker might feel that he could fight continuously against an enemy that was unable or unwilling to retaliate. Such a confident adversary could be expected to increase the intensity of his attacks as long as he felt he was doing so with impunity.

In contrast, a nuclear response would be quick, calculable and highly damaging. An attacker would be forced to reassess his position against a determined foe willing to fight rather than surrender.

#### 2. Limited War

The term limited war implies that both the weapons used and the area engaged are limited. Such conflicts are entered when the objective is worth all-out war, but when it

might be achieved at lower costs in a limited conflict. In other situations, limited wars are fought when the stakes are high enough to justify armed action, but too low to justify total war.

Certainly no country is willing to rattle its nuclear sabres during every international incident. Some areas are just not worth a nuclear war. Yet they may be valuable to a country—valuable enough for a limited war. Other areas may be worth a nuclear war, but victory might be achieved without one if a flexible conventional force were available. To avoid being muscle-bound in most international crisis situations, the nuclear powers have developed a capability and theoretical framework for waging limited war.

When a nation is willing to risk all-out war to achieve its goal, there are no holds barred in the limited phase of the war. Of course, if victory can be won without resorting to nuclear weapons, none will be used. But the enemy is kept constantly aware that its opponent is taunting it up the nuclear ladder. There must be no doubt about the attacker's ultimate resolve.

However, when the stakes are not high enough to justify all-out war, the opponent must be advised that the war will be kept limited. The attacker is willing to accept defeat rather than escalate to nuclear weapons in search of victory. If there is any doubt on the part of the opponent, there exists the danger that he will escalate the conflict of his own accord in an attempt to show his resolve and perhaps win the war quickly.

Therefore, there must be implicit limits placed on such a war so that both sides clearly understand that they are fighting a truly limited conflict—not one that could reach the unlimited stage. Usually geographic and weapons limitations are self-imposed by both sides as evidence of their good faith. There are no logical reasons for these barriers, since there are no clear logical demarcations between limited and total wars. They are merely different levels of conflict in a continuous scale of violence. The value of the barriers lies in the assurance they provide to an opponent that he need not fear all-out attacks during this particular war. Once these restrictions are decided upon and recognized by both sides, it is clearly of prime importance that they not be abandoned by either side in quest of a small military advantage, lest all barriers fall and all-out war actually result.

There are three main reasons advanced for including chemical and biological weapons in our limited war arsenal. Advocates claim they are: first, more humane than other conventional weapons; second, effective in fulfilling military missions; and third, high intensity responses to enemy action which do not involve a significant danger of nuclear escalation.

#### (a) Humane weapons

Some proponents of chemical and biological warfare dream of "wars without death." They claim that military objectives can be achieved without the necessity of killing the enemy. They envision sleeping armies, soon to wake captives of a merciful opponent.

For some chemical and biological weapons, this argument is clearly irrelevant. Nerve gas and deadly plagues are no more humane than the conventional weapons they seek to replace or supplement. For other agents, previous military usage indicates that they have been used in conjunction with tactics which seek to kill the enemy.

Biological agents aimed at crops or animal life are used to deprive the enemy of his food supply. Yet any starvation tactics hit the army slowly—after the rest of the population has suffered from malnutrition while the army commands scarce food reserves. The policy of starvation is inhumane as con-

ceived and unconscionable as practiced, since it first hurts those most in need of food and only eventually cuts the rations of the enemy forces.

Biological agents which affect man are also inhumane. Mild forms of disease are not militarily useful because they do not sufficiently guarantee an incapacitated enemy to insure peaceful victory. The lethal agents are just as deadly as conventional weapons and they invariably affect civilians. Certainly, weapons which deal not only death but indiscriminate death cannot be considered humane.

Chemical agents have been developed and used to defoliate large areas identified as enemy strongholds or to destroy crops. Those which seek starvation are indeed inhumane. Those which defoliate enemy hiding places do not result in humane treatment either. Fields of fire and bombing targets are revealed as leaves slowly wither. An enemy caught in these areas cannot expect merciful treatment. Instead, he can fear unobstructed shelling and bombing raids. His death is made more likely because chemical weapons were used by his enemy.

There are both lethal and non-lethal chemical weapons which are used directly against men. Lethal agents, primarily nerve gases, are certainly not humane. In fact, there is less possibility of being merely wounded by nerve gases than by conventional weapons. Even a small dose of these gases can be fatal. Thus, mortality rates are increased when nerve gases are used.

Riot-control gases and harassing agents are not designed to be fatal. If administered in laboratory-prescribed doses they do not kill or permanently damage their victims. But in battlefield conditions, too much gas is usually preferred to too little and there are strong probabilities of permanent damage or even death if an "overdose" strikes an enemy.

Chemical weapons which are theoretically capable of achieving victory without bloodshed have frequently been used to increase enemy casualties. Although the gases themselves are not fatal, they are often employed in tactical situations when the enemy is concealed from conventional weapons. Chemicals are then used to drive the enemy from his hiding place so that he can easily be fired upon.

The inhumane deployment of these weapons during battlefield situations may not be more inhumane than the use of comparable conventional weapons. However, chemical and biological weapons can continue to be inhumane long after the battle is ended. The area may remain contaminated for days, years, perhaps centuries. No conventional weapon is likely to cause this much prolonged suffering. Weapons aimed at plant or animal life may cause serious ecological imbalance, break natural food chains and disrupt environmental stability. Biological agents could cause damage of this magnitude in widening areas. It is conceivable that entire species, perhaps even man, would move toward extinction after a large attack.

Theoreticians have not realized their visions of wars without death. As now employed, chemical and biological weapons are usually used to kill the enemy directly or indirectly. At times their use kills scores of noncombatants.

#### (b) Effective weapons

The most persuasive argument for military tacticians is that CBW is an effective weapons system. It does things better, quicker, cheaper or safer than alternative weapons. The crucial element in evaluating these claims is the definition of an effective weapon. Most chemical and biological agents can be successful in fulfilling a mission. But the additional damage they cause may make them ineffective in an overall analysis, since



an effective weapon should seek to maximize the chances of ultimate victory while minimizing the war's destructiveness.

There is no question that biological agents can be terribly efficient in destroying plant and animal life. Yet starvation may not be an effective addition to military tactics, since the armed forces would be the last to suffer from shortages. In some situations they might never suffer if they maintained supply lines with non-combatant allies.

But the more significant disadvantage to biological agents is their uncontrollability. The disease may return to destroy the attacker's food supplies. They may also spread to neighboring territories. Since military men, like most people, prefer to keep the number of enemies to a minimum, uncontrolled blight could be a severe setback. Neutral nations which helplessly witness their plant or animal life die might feel strong public pressure to avenge the attack as quickly as possible.

When human diseases are meted out to an enemy, the disadvantages are similar but more pronounced. Even a hypothetical army that could secretly inoculate its troops and stockpile a biological agent could not consider the agent an effective weapon. The disease could easily spread beyond the war zone and the pressures for retaliation by neutral nations would again be tremendous. The initial successes achieved by using the agents could be nullified when war was declared by the enraged nation accidentally infected by the attacker. In addition, the attacking troops might be afflicted by the same disease when a mutant which proves immune to previous vaccines returns to plague them. Both of these possibilities make ultimate victory less likely. Either one makes a biological agent an ineffective military weapon.

The positive disadvantages of biological strikes must be considered in conjunction with their inherent unpredictability. As demonstrated previously, less than perfect weather conditions can quickly kill bacteria before they infect the enemy. A weapon which works only occasionally is probably worse than no weapon at all, since plans which assume effective results from its use may leave troops helpless if the weapon fails.

Chemical defoliants are effective in killing crops. The question is how effective crop attacks are in defeating an enemy. Defoliants which seek to clear the countryside of enemy camouflage are eventually successful in denuding the area. Yet there is a real question about the military consequences of these sprayings. It takes several days for the chemicals to take effect. After they have, there is usually renewed growth in the area within a week. During this short period of defoliation, the enemy can avoid barren areas and move only through jungle that has not been affected. Persistent use can prolong the defoliation effects and perhaps even kill trees in the vicinity. Yet a militarily effective program would have to blanket a wide area while continuing to concede relatively concealed movement at night. When the advantages of this program are weighed against the significant disadvantages resulting to the soil, foliage and wildlife of the region, the effectiveness of the weapons is doubtful. Victory is not significantly enhanced while damage to the war zone is certainly intensified.

Defoliants have also been used to deny roadside cover to enemy ambushers. But it should be realized that clear roadbeds often merely widen the fire zone, thereby increasing the exposure of one's own troops as they seek shelter from attack.

Chemical agents aimed at enemy troops have varying degrees of effectiveness. Harassing agents can be effective if the enemy is not equipped with masks. Usually these agents are used to force the enemy out of

hiding into clear fields of fire or to prevent enemy pursuit or ambush when friendly troops are moving.

Lethal agents, particularly nerve gases, can be extremely efficient killers. Attempts have been made to develop warning and decontaminating devices to use in conjunction with masks as defenses against nerve gas. Yet present systems are costly, cumbersome and only partially effective. Observers estimate that troops fully equipped with protective devices would still suffer 30% casualties before they could react to a surprise attack.

#### (c) High intensity, nonescalatory weapons

##### (1) Completely limited war

The final and most crucial argument advanced in favor of the use of chemical and biological weapons is that they allow a high intensity response which does not escalate the conflict. Where the U.S. is involved in a limited war and has decided it will not resort to all-out war for victory, this justification is of prime importance. If this argument fails, the other two rationales offered for their use become moot. The danger resulting from escalation far outweighs the benefits which allegedly humane or efficient weapons offer.

When limited war is initiated because all-out war is not justified by the stakes of the conflict, all reasonable precautions must be exercised to insure that the war will remain limited. As we indicated earlier, the normal way of telling an opponent that the war will not be escalated is establishing arbitrary geographical and military boundaries for the conflict. Chemical and biological weapons probably transgress both bounds.

Lethal biological weapons, if successful, can kill as effectively as nuclear warheads. Thus the artificial restraints on the level of violence which are established in a truly limited war would be greatly exceeded. The shift to nuclear war would be a small one. It would be made because nuclear weapons were more reliable, not because they were necessarily more destructive.

In addition, the arbitrary geographical limits set might be unintentionally violated by any biological weapon. Sanctuaries relied upon by one side and honored by the other could well be infected by the attacking biologicals. Moreover, the agents could spread to neighboring countries. This is an extremely frightening prospect for conflicts on the Sino-Soviet periphery, such as those in Korea or Vietnam. An uncontrolled epidemic might quickly engage an otherwise uninvolved superpower in all-out war.

Lethal chemical weapons probably also pose an unacceptable risk of escalation by exceeding artificial restrictions on the type of weapon used, since successful nerve gas attacks might kill as many enemy troops as a nuclear blast.

Thus, both biological weapons and lethal chemicals could break delicate barriers which are relied upon to distinguish limited war from all-out war. But even chemical agents which are not designed to kill the enemy may be dangerously escalatory and thus undesirable. This danger is a consequence of the psychological overtones associated with CBW. As we indicated at the beginning of this study, the term "chemical and biological warfare" masks a wide variety of weapons included in it. Since the entire category is normally eliminated from combat situations, with the exception of low level chemical agents which harass or defoliate, using one of the more unusual forms of CBW immediately makes the use of all CBW weapons more likely.

The artificial psychological barrier between conventional and chemical-biological-nuclear warfare is an uncanny one. Reliance on it to distinguish limited from all-out war is wise. Breaking it in selected instances may mean breaking it altogether. Once gases and

diseases are used on the battlefield, distinctions between types of gases and diseases may seem academic.

The Vietnam experience has been deceptively fortunate. Escalation might well have occurred had the North possessed the weaponry or the Russians and Chinese the motivation to intensify the conflict. Initial world reactions to American tactics did not distinguish between types of gases. Distinctions were painstakingly clung to by the U.S., even though Hanoi lacked a chemical arsenal to force escalation with. If they had, the war might have lurched precipitously forward toward a full-scale holocaust when the first tear gas canister was introduced on the battlefield. The safest course is to observe the barriers without exception. For once the established barriers are broken, it may be too difficult or too late to erect new ones.

##### (ii) Initially limited conflicts

In those wars where the U.S. decides the stakes are high enough to warrant all-out war, weapons which are escalatory may have a place in our military plans. But inclusion of CBW in those plans depends upon how escalatory these weapons are when compared with others already in our arsenal. If they are at least equally likely to lead to all-out war, there seems to be no justification for using them when other weapons can produce similar military results.

A decision to run the risk of total war by first engaging in a limited war does not necessarily mean that we will follow a course inevitably culminating in total war. There would be little reason to alert the opposition if all-out war were certain to result from a local encounter. We will enter a limited conflict when the stakes justify total war only when there is a significant chance of deciding the issue without resorting to total war.

Put another way, we fight limited wars with an understanding that the objective is worth a risk of total war. That risk may be relatively high or relatively low. Once it is gauged, our strategy must be tailored accordingly. If we are willing to run a 70 percent chance of total war, then all military responses which make total war more than 70 percent likely are to be avoided. All weapons which do not make total war 70 percent likely can be used, even though they might be characterized as "escalatory." Given this theoretical framework, chemical and biological weapons could be justified in a limited war over high stakes if they were less escalatory than other systems with similar military capabilities.

It should be understood that the criteria for assigning an escalation coefficient to weapons is not their military effectiveness, but their psychological impact on the opposition. Because of the long tradition of abstinence from lethal chemicals, biological agents and nuclear devices in limited wars, all three weapons are likely to have a similar psychological impact on the enemy and therefore be equally escalatory.

Since we have been capable of fighting limited wars in the past without relying on anything more than conventional forces, a decision to use lethal chemical, biological or nuclear weaponry is an implicit admission that purely conventional strategy is incapable of achieving victory. It is a signal to the enemy that this realization was accepted and a recourse to new, escalatory weapons was chosen instead of surrender. The use of any of these weapons is a proclamation that defeat will not be accepted without resorting to great military strength. With this warning, an enemy is just as likely to initiate an all-out war regardless of the particular weapon chosen to rupture the tradition of abstinence.

The possibility of escalation results from the breaking of tradition, not from the mili-

tary mission these weapons are assigned. Their employment indicates that conventional warfare cannot do the job and defeat is unacceptable. Thus it is unlikely that lethal chemical or biological agents could be considered less escalatory than tactical nuclear weapons.

Consequently it seems that, in both the case of limited war which must stay limited and the case of limited war which runs the risk of total escalation, chemical and biological killers cannot be considered valuable for their non-escalatory characteristics.

### 3. Arms Control

To complete a strategy of finite deterrence, efforts must be constantly made to control the quantity and destructiveness of weapons. War is best deterred when neither side has sufficient hardware to fight one. It is best limited when the types of arms available are limited.

Lethal chemical and biological weapons impede both goals of arms control; thus there are two important reasons for seeking to control the development and proliferation of CBW.

According to publicized reports, both the U.S. and the Soviet Union have large stockpiles of these weapons. Arms control is therefore necessary to limit the quantity of arms available. The initial decision to stockpile has been made. Now the laborious process of disarming faces us.

We have indicated earlier that chemical and biological weapons are extremely destructive. The lethal agents will kill population masses when successfully employed. The non-lethal agents are also highly destructive and may lead to swift escalation when used.

The disarmament issues associated with chemical and biological weapons are in many ways unique. Since chemical and biological weapons have been developed as substitutes for other systems, disarmament can be pursued without significantly decreasing our security in the process.

#### (a) Voluntary

Because it is doubtful that decreasing our CBW stockpiles would yield significant military danger, voluntary disarmament remains a possibility. It might significantly decrease international fears over the weapons even if no other power followed our lead. But there are strong reasons to believe that others would quickly join in a sincere move toward eliminating lethal chemical and biological weapons from the international scene. To some extent we have justified our stockpiles on the grounds that the Soviets have similar arsenals. Certainly neither side can be comfortable when an uncertain balance of terror exists instead of a calculated equilibrium of deterrence.

The Soviets have repeatedly called for accords on CBW, as have Germany and one of the leaders in biological testing—Great Britain. Thus, both sides may be anxious to be rid of their systems if only the other side begins the process. If it is correct to assume that U.S. military security would not be impaired by the elimination of CBW stockpiles, a viable proposal might be that the U.S. take the initiative; if others then followed our lead, world stability could very well be enhanced.

Voluntary disarmament in the field of chemical and biological weapons has much to commend it. Military strength could be maintained and similar disarmament might begin in other countries. Regardless of the consequences in the rest of the world, the U.S. could claim unchallenged leadership in the quest for arms control and gain immeasurable world support in her efforts.

#### (b) Negotiated

In a framework of negotiated arms reductions, chemical and biological weapons

also offer distinct possibilities. If it assumed that both sides truly fear their actual use in conflict, as public sentiment in both camps indicates, then both sides would be eager to eliminate them from their adversary's arsenal. Because the weapons are not essential to the security of either party, then both can offer major concessions without fearing military insecurity as a result. Thus, suggesting accords on chemical and biological weapons at the beginning of arms talks could test the sincerity of the other parties in achieving significant arms limitations. It could also develop procedures which could be duplicated in other phases of the proposed agreement.

#### (1) Secrecy and Inspection

One important area of disagreement which could be resolved in a CBW pact is the joint issue of secrecy and adversary inspection. Chemical agents could easily be developed from compounds used for many industrial purposes. Biological agents could be produced in a converted brewery, far from the view of an adversary denied treaty inspection rights. Secret research could also nullify the effect of the agreement by developing new agents not covered by previous talks. While this may not shift the military balance, it would demean the prestige of the treaty if both parties realized that circumvention was relatively simple. To avoid circumvention of the agreement, on-site inspection procedures and fluid scientific exchanges must be demanded.

Experts have developed inspection patterns which they feel can insure a sufficient probability of detection to make treaty violation attempts unattractive. But because of the general lack of interest in arms control agreements over CBW, there have been no serious efforts to advance these systems in a formal agreement. If inspection systems are agreed to for chemical and biological weapons, their incorporation into nuclear treaties should be much easier.

Eliminating the secrecy which has previously surrounded CBW research and deployment is both necessary for a successful arms limitation agreement and wise as a measure designed to eliminate irrational fears associated with CBW in general. Because no one is quite sure of the extent of our CBW arsenal, whispered tales of a "doomsday bug" cannot be dismissed out of hand. Fear is generated both at home and abroad because of what might be stored in secret garrisons, not what is actually stockpiled there.

A second proposal could be the initiation of arms talks to consider CBW. If such advances are spurned, we might then advocate eliminating our stockpiles with wide public knowledge. Also to be considered as possible steps should be the de-classification of future research in the field. We gain nothing by hiding information about a weapons system that seems to be untrustworthy; yet we risk much by encouraging our opponents to believe the worst about such a weapons system.

#### (ii) Nuclear accords

If nuclear agreements are seriously contemplated, as we hope they are, then CBW accords are essential. Otherwise the existence of devastating chemical and biological reserves would subvert any nuclear agreement by continuing an arms race with CBW even though the nuclear surge had been halted. An agreement on nuclear weapons should be a signal that mass death is being made less likely, not that different weapons have been chosen to annihilate humanity.

### III. THE RISKS

Incorporation of chemical and biological agents into our overall military strategy, it seems, would involve more than an unnecessary waste of funds for a marginal addition

to our military might. Continuing secret research with these agents and augmenting stockpiles of those weapons which have reached the production stage would probably involve enormous risks for our own security and future world stability.

#### (A) Of use

It is frightening to realize that the dangers of using CBW are perceived most not by the uninformed but by those most knowledgeable in the field. Prize-winning biologists imagine with horror the ultimate consequences of a large biological attack. Chemists who have worked toward weapons development realize that even non-lethal agents can become killers if the wrong dosage is involved.

Our evaluation of the military merits of the various weapons points repeatedly to the following possible disadvantages: Plotting starvation in a world in which is already wrestling with the spiraling problems of population and hunger is short-sighted. Tampering with nature's delicate balance is imprudent when the dangers associated with a volatile environment are incalculable. Initiating world-wide epidemics is indeed "medicine in reverse" and adds a dimension of horror and primitivism to modern warfare which is understandably decried by many.

It is important to appreciate the international repercussions of using chemical weapons in Vietnam. By making them respectable after an almost complete international avoidance of them since World War I, the U.S. has made all chemical weapons more attractive in any future war. Once the barrier between conventional and chemical weapons is broken, it is difficult if not impossible to erect new ones which distinguish between categories of chemical weapons.

There are several reasons why chemical warfare would be attractive to many nations once international prohibitions against their use could be easily ignored. They are relatively easy to develop and comparatively inexpensive if a nation feels a need for a mass killer to improve its security. The U.S. has already made scores of countries aware of the potential advantages that chemicals offer by training foreign military officers in the use of these weapons.

The recent Nuclear Non-Proliferation Treaty has made these weapons even more attractive. Denied access to nuclear weapons, countries which still feel a need to exercise independent initiatives with strategic weapons turn quite naturally to CBW. While previous international accords may have deterred them from actually using such weapons, our policies in Vietnam have made CBW a little more respectable and may have made CBW proliferation a real danger.

As with nuclear weapons, the U.S. loses a measure of security when many smaller countries possess a capacity for CBW. Chemical and biological weapons are equalizers in battle which mute the advantage the U.S. maintains in industrial strength and conventional military firepower. It would certainly be better to forego the marginal benefits which CBW provides if such abstinence made proliferation less likely. If weak opponents can respond with CBW, we would not only lose the advantage we had sought by using such weapons, but we would also face the neutralization of our conventional firepower advantage.

#### (B) Of stockpiles

The dangers of actual use obviously become greater as our stockpiles mount. Moreover, previous experience indicates that an impressive arsenal makes battlefield use quite likely. A long abstinence from all chemical and biological weapons was forsaken in Vietnam after a previous decision to research and develop the weapons had been made.



During the conflict, only the decision to employ the gas was necessary. There have been reports that biological weapons were not used during the Cuban missile crisis because they were not available. Other sources indicate that biological strikes have been proposed during the current conflict but pressures to use them were successfully resisted.

It is reasonable to assume that as our capacities in the field of CBW grow, opportunities for using them will seem more numerous. One assent would set a perilous precedent. Reliance on the abstinence of the past does not insure continued avoidance if the weapons are constantly available when military plans are formulated. It is likely that only elimination of the weapons can insure avoidance of them and their inherent dangers.

#### (C) Of secret possession

Yet, even before they are actually incorporated into normal combat operations, we run significant risks by testing and producing chemical and biological weapons. Presumably, chemical and biological agents significantly increase international instability and tension because rational calculations are very difficult. As with any weapons system, possession indicates the possibility of use. Thus, although we constantly profess peaceful policies and argue that CBW research is defense-oriented and stockpiling is for deterrent purposes, our adversaries remain unconvinced. They are frightened by our arsenal. Their fears may well lead to unstable relations between our nation and others.

Because of the possibility of covert biological attacks, these fears can conceive a crisis from an accident. If any country were to suffer a sudden epidemic of an unusual or unknown disease it might immediately assume that a traditional enemy had attacked it with biological weapons. Assurances to the contrary might prove futile. A war might begin because of a freak fever

or a laboratory mishap. Adequate control of biological weapons could very well reduce the likelihood of such a scenario.

If detection devices were developed and installed, they could increase tensions as well. A false alarm could create diplomatic chaos as accusing fingers were pointed at dozens of potential attackers before the true origins of the alarm were discovered. By maintaining a large, secret arsenal, the U.S. runs the great risk of being a prime suspect if a CBW attack were alleged for any reason. Denying such a charge would be extremely difficult and shifting the blame to another nation may be politically impossible.

Not only are enemy intentions difficult to calculate when chemical and biological agents must be considered, but the capabilities of the enemy are also uncertain. As a possible victim of such an attack, a nation must calculate its position under the assumption that the weapons will be highly effective. Yet as a possible attacker, each nation must play it safe by assuming that these agents will be largely ineffective. The latter set of assumptions will usually persuade a nation not to attack, but the former hypothesis may make a country overly fearful of attack. While one party is developing a peaceful line of diplomacy because it assumes it does not have the capability to use CBW, its opponent is constantly on guard against a CBW attack because it is possible and it must be assumed successful. Neither party benefits from this two-edged sword. Stable relations are subverted because of the unstable calculations which must accompany all adversary situations involving CBW.

It is these risks which must be weighed against the alleged benefits of CBW. Because such questions concerning the disadvantages of CBW exist, there is clear cause to consider the elimination of chemical and biological weapons from our present arsenal.

When considering the desirability of crop destruction or defoliation, the indeterminate damage that may be done to the balance of

nature in pursuit of military gain should not be forgotten. The marginal safety which biological weapons add to our deterrent ought to be coupled with the misery which an unchecked epidemic could promote. Although the suggestion that the weapons be abandoned might seem too extensive, the uneasy diplomatic and political situation which inevitably haunts the nation if it retains them might warrant such thought.

As with any priority decision, serious consideration ought to be given to the alternative resource demands which the nation constantly makes. The scientific talent devoted to perfecting virulent disease strains may be more urgently needed in the quest for medical breakthroughs. The funds required for testing and producing delivery systems might be better spent alleviating the many domestic problems now facing the country. A decision on military affairs must be made within the context of competing peacetime demands. Thus the balance between costs and benefits, advantages and disadvantages must be struck after weighing both military and non-military factors. In the case of CBW, especially lethal varieties, the balance seems heavily weighted against the weapons.

#### IV. CONCLUSION

One of the possible results of eliminating our silent arsenal might be the avoidance of the dangers of escalation presently believed associated with CBW. If such a policy were adopted, the risks of stockpiling and the horrors associated with using these weapons could be avoided.

Consideration of applying the brakes in our headlong rush toward developing chemical and biological killers should be a matter of the greatest urgency. These weapons seem ill-suited to today's military strategies. At best, they might be characterized as unacceptable substitutes for weapons already in use. Their abandonment could provide a greater atmosphere of rationality in military calculations and a more secure state of mind for modern day man by removing one horrifying threat to his existence.

TABLE 1.—GENERAL CHARACTERISTICS OF LETHAL CHEMICAL AGENTS

Type	Mechanism	Time for onset of effects	Examples
Nerve agent G.....	Interferes with transmission of nerve impulses.....	Very rapid by inhalation (a few seconds).....	Tabun, Sarin, Soman.
Nerve agent V.....	do.....	Very rapid by inhalation (a few seconds); relatively rapid through skin (a few minutes to a few hours).	VX.
Blister agent.....	Cell poison.....	Blistering delayed hours to days; eye effects more rapid.	Sulfur mustard, nitrogen mustard.
Choking agent.....	Damages lungs.....	Immediate to more than 3 hours.....	Phosgene.
Blood agent.....	Interferes with all respiration.....	Rapid (a few seconds or minutes).....	Hydrogen cyanide.
Toxin.....	Neuromuscular paralysis.....	Variable (hours or days).....	Botulinum toxin.

Source: U.N. report.

ANNEX C.—SOME BIOLOGICAL AGENTS THAT MAY BE USED TO ATTACK MAN

Disease	Infectivity <sup>1</sup>	Transmissibility <sup>2</sup>	Incubation period <sup>3</sup>	Duration of illness <sup>3</sup>	Mortality <sup>3</sup>	Antibiotic therapy	Vaccination <sup>4</sup>
<b>Viral:</b>							
Chikungunya fever.....	Probably high.....	None.....	3 to 6 days.....	2 weeks—a few months.....	Very low (<1 percent).....	None.....	None.
Dengue fever.....	High.....	do.....	5 to 8 days.....	A few days to weeks.....	do.....	do.....	Do.
Eastern equine encephalitis.....	do.....	do.....	5 to 15 days.....	1 to 3 weeks.....	High (>60 percent).....	do.....	Under development.
Tick-borne encephalitis.....	do.....	do.....	1 to 2 weeks.....	1 week to a few months.....	Variable up to 30 percent.....	do.....	Do.
Venezuelan equine encephalitis.....	do.....	do.....	2 to 5 days.....	3 to 10 days.....	Low (<1 percent).....	do.....	Do.
Influenza.....	do.....	High.....	1 to 3 days.....	do.....	Usually low, except for complicated cases.....	do.....	Available.
Yellow fever.....	do.....	None.....	3 to 6 days.....	1 to 2 weeks.....	High (up to 40 percent).....	do.....	Do.
Smallpox.....	do.....	High.....	7 to 16 days.....	12 to 24 days.....	Variable but usually high (up to 30 percent).....	do.....	Do.
<b>Rickettsial:</b>							
Q-fever.....	do.....	None or negligible.....	10 to 21 days (sometimes shorter).....	1 to 3 weeks.....	Low (usually 1 percent).....	Effective.....	Under development.
Psittacosis.....	do.....	Moderately high.....	4 to 15 days.....	1 to several weeks.....	Moderately high.....	do.....	None.
Rocky Mountain spotted fever.....	do.....	None.....	3 to 10 days.....	2 weeks to several months.....	Usually high (up to 80 percent).....	do.....	Under development.
Epidemic typhus.....	do.....	do.....	6 to 15 days.....	A few weeks to months.....	Variable but usually high (up to 70 percent).....	do.....	Available.

See footnotes at end of table.

## ANNEX C.—SOME BIOLOGICAL AGENTS THAT MAY BE USED TO ATTACK MAN—Continued

Disease	Infectivity <sup>1</sup>	Transmissibility <sup>2</sup>	Incubation period <sup>3</sup>	Duration of illness <sup>3</sup>	Mortality <sup>3</sup>	Antibiotic therapy	Vaccination <sup>4</sup>
<b>Bacterial:</b>							
Anthrax (pulmonary)	Moderately high	Negligible	1 to 5 days	3 to 5 days	Almost invariably fatal.	Effective if given very early.	Available.
Brucellosis	High	None	1 to 3 weeks	Several weeks to months	Low (<5 percent)	Moderately effective.	Under development.
Cholera	Low	High	1 to 5 days	1 to several weeks	Usually high (up to 80 percent)	do	Available.
Glanders	High	None	2 to 14 days	4 to 6 weeks	Almost invariably fatal.	Little effective	None.
Melioidosis	do	do	1 to 5 days	4 to 20 days	Almost 100 percent fatal.	Moderately effective.	Do.
Plague (pneumonic)	do	High	2 to 5 days	1 to 2 days	do	Moderately effective if given early.	Available.
Tularemia	do	Negligible	1 to 10 days	2 to several weeks	Usually low, sometimes high (up to 60 percent).	Effective	Do.
Typhoid fever	Moderately high	Moderately high	1 to 3 weeks	A few to several weeks	Moderately high (up to 10 percent)	Moderately effective.	Do.
Dysentery	High	High	1 to 3 days	A few days to weeks	Low to moderately high depending on strain.	Effective	None.
Fungal: Coccidioido mycosis	do	None	1 to 3 weeks	A few weeks to months	Low	None	Do.

<sup>1</sup> Infectivity: Indicates the potency of the parasite to penetrate and multiply in the host's organism, regardless of the clinical manifestation of illness. In fact, there are several agents by which the great majority of the exposed population will be infected without developing clinical symptoms.

<sup>2</sup> Transmissibility: This refers to direct transmission from man to man without the intervention of any arthropod vector.

<sup>3</sup> The figures listed under incubation period, duration of disease, and mortality are based on epidemiological data. They vary, according to variations in virulence and dose of the infecting

agent, resistance of the host, and many other factors. It also should be noted that, if the agents concerned, would be deliberately spread in massive concentrations as agents of warfare, the incubation periods might be shorter and the resulting symptoms more serious. As to mortality, this refers to the ratio between the number of fatalities to the number of diseased (not to that of infected) individuals, if no treatment is given.

<sup>4</sup> The availability of vaccines is no indication of their degree of effectiveness.

Source: U.N. report.

Mr. ROBISON. Mr. Speaker, the study introduced by the gentleman from Oregon (Mr. DELLENBACK), and of which I am a cosponsor, examines as has been noted the strategic and tactical implications of chemical and biological weapons. I believe that the Congress—and the administration—should also reexamine the general foreign-policy implications of such weapons.

Dr. Matthew S. Meselson, Harvard biologist and an acknowledged expert in the field of chemical and biological weapons, did approach this aspect of our overall problem in an address he delivered earlier this year. In that address, he discussed America's chemical warfare policies and related them to such international discussions and agreements concerning CBW as have been held or attempted—pointing out that many nations have agreed to the 1925 Geneva Protocol, so-called, 12 of which have stated that they interpret the protocol to include tear gases. In contrast, he notes that the United States has not ratified the protocol, has taken various positions on tear gas since 1925, and has been using large quantities of such chemicals in Vietnam.

It is Dr. Meselson's premise that the overriding U.S. policy toward CBW ought to be one of preventing the proliferation, legitimization and use of such weapons—a premise with which I would wholly agree—and, as his address is a thought-provoking review of many of the international issues revolving around CBW we ought to be considering, I insert it now in the RECORD for the information of my colleagues:

**CHEMICAL AND BIOLOGICAL WEAPONS—WHAT SHOULD U.S. POLICY BE?**

(By Matthew S. Meselson)

Chemical and biological weapons, like nuclear ones, are capable of killing very large numbers of people, especially civilians. Nerve gases are comparable to the uranium bomb, in the sense that a single large bomber dispensing one of the more toxic ones under meteorological conditions favorable to the

attacker could kill most unprotected individuals within an area the size of the high casualty zone at Hiroshima or Nagasaki. You may recall the accident last year at Skull Valley, Utah, where gas from a test escaped and led to the death of 6,400 sheep over an area of some 200 square miles. Biological weapons, employing Anthrax spores, or other potential biological agents, are even more powerful than nerve gas, because less is required to kill a human being and therefore less is required to attack a given area. For example, a standard United States field manual, "The Employment of Chemical and Biological Weapons," states that a single fighter plane can spray enough biological agent to cause 50% mortality in an area of 300 square miles.

Fortunately, chemical and biological weapons have never been used in this fashion. Nor does any nation in the world today prominently threaten the use of chemical and biological weapons as they do nuclear weapons. The United States and the other major nuclear powers do not need chemical and biological weapons to deter strategic attacks against themselves. These weapons are not needed to maintain the so-called balance of terror. Nuclear weapons do that. Chemical and biological weapons would simply get in the way by complicating the calculations and expectations of the respective sides in any strategic crisis.

These weapons offer no ability to limit damage from enemy strategic nuclear forces, since the latter can be easily protected. The proliferation of chemical and especially biological weapons would greatly increase the threat to nuclear nations by offering relatively cheap strategic destructive capabilities to the nuclear nations. In short, for a country like the United States, chemical and biological weapons are the worst imaginable strategic weapons.

There are some important properties of chemical and biological weapons that concern their capabilities for tactical use. In my opinion these properties should make the United States eager to prevent chemical and biological weapons from ever being used. Chemicals are very cumbersome weapons to defend against. When chemical weapons are used in combat, soldiers must be provided with protection if the enemy is able to retaliate in kind. This means masks, protective suits, and lugging along enormous amounts of decontamination equipment. The more complicated and interdependent a

fighting force is, the more will these protective measures reduce their fighting efficiency. Sophisticated forces would often be placed at a disadvantage with respect to less sophisticated ones. Mortar cartridges loaded with nerve gas have a much higher kill radius than conventional ones. And as we know, large numbers of mortar shells can be deployed even by guerrilla forces. In other words, the violence level of tactical combat would be enormously increased if lethal chemical weapons were legitimized and came to be used—and their employment could be more advantageous to the enemy than to us.

Gas and germ weapons are difficult to confine—witness the death of the 6,400 sheep, 30 miles away from the test site. This is a case in which the most extreme precautions, we are told, were taken to be sure that no such accident would occur. Under not uncommonly stable meteorological conditions, the tactical employment of moderate quantities of nerve gas could create lethal concentrations as far as 100 kilometers or more downwind from the battlefield. Thus, although fighting forces can be well protected against gas, its tactical employment could easily kill large numbers of civilians. For example, a few days of tactical nerve gas employment in Europe could quite easily kill tens of millions of civilians.

Another feature of these weapons that should make them anathema to the United States is that they are prohibited by International Law. The major existing international agreement that prohibits their use is the Geneva Protocol of 1925, which specifically prohibits the use of "asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices" and of "bacteriological methods of warfare." The Geneva Protocol was proposed by the United States.

Finally, I wish to add one more consideration which is enormously important, and that is that these weapons are particularly abhorred by mankind. We should do nothing to erode this view, because it may be the decisive safeguard against the proliferation of weapons which would gravely threaten the security of the United States as well as that of others.

In view of these circumstances, one would think that the overriding purpose of United States chemical and biological warfare policy would be to prevent the proliferation, legitimization, and use of these weapons. We are



the pace-setter in military matters, or at least, a co-equal pace-setter with the Soviet Union. Therefore, our actions, our statements, our policies, will influence the nature of warfare in the future. Unfortunately, unwisely, it is not the case that the overriding purpose of U.S. chemical and biological warfare policy is to prevent the spread, legitimization, and use of chemical and biological weapons. This is not to say that the United States is at present using lethal chemical and biological weapons or that the United States is pressing hard to abolish the world-wide agreements and restraints against the use of these weapons. Rather, our policy is ambiguous, internally inconsistent, and looks menacing and provocative to the rest of the world. There's only one country whose policy I consider to be worse than our own. This is the country that has used poison gas against unprotected villagers in the Yemen—apparently Egypt, although she denies it.

Now when I say that the policy of the United States is unwise, confused, provocative, and dangerous, I don't primarily mean our research and development policy, although I would include some aspects of that. And I don't mean our work on defensive measures, although some of that I think is unwise, and it is done in unnecessary secrecy. And I don't mean our efforts in intelligence to find out what other countries may be doing in this area, although it is improperly used and badly exaggerated to stimulate higher appropriations for CBW. I don't mean any of those things if they serve the purpose (which I think should be overriding) of preventing the legitimization, proliferation and use of chemical and biological weapons. What I do refer to are two things. First, our use of "non-lethal" chemical weapons in Vietnam, specifically the agent called CS or super-tear gas and chemicals used to attack food crops. And secondly, I refer to our international policy. I'd like to say something briefly about these policies and actions.

First, regarding the use of non-lethal gas in Vietnam, it is true that the agent we use in great quantity, CS, is not lethal in the open when used for police purposes. It can kill when used in confined spaces. It is less lethal to a variety of experimental animals than the kind of tear gas usually used by police. But we really aren't sure that this comparison holds for man. CS is a very reactive chemical and, as used by the military, it penetrates to the deep recesses of the lungs. Almost nothing is known about its possible long-term after effects.

However, regardless of the toxicity of CS when used by itself, the idea that war can be made more humane by the use of such chemicals is a myth. "Non-lethal" gases introduced into the field of combat will come to be used in any way they possibly can to increase the effectiveness of bullets, bombs, and other lethal weapons. We have used nearly 14,000,000 pounds of CS in Vietnam since 1965. Most of it is used for purposes that cannot be considered "non-lethal". It is supplied to our forces in Vietnam in grenades, mortar shells, rockets, 105 mm and 155 mm howitzer projectiles, with ranges up to 15 km, and in bulk disseminating devices and aircraft cluster bombs up to 1000 pound size. The distinction between lethal and non-lethal gases might be made in the laboratory under conditions of controlled use. But that distinction loses its meaning when "non-lethal" gases are massively used in order to kill, in close coordination with conventional lethal weapons.

The myth of humane chemical war could be a reality, but not in today's world. If all lethal weapons were put away and if men still fought wars (that's hard to imagine), then non-lethal gases could be used in war without much killing. But that's not the situation. In proposing the use of non-

lethal weapons, the military have never proposed that the lethal ones be put away.

I think that non-lethal gas warfare is worse than a myth; if it were just a myth you'd say, well, it's not going to do anything except disappoint those who thought that it would save lives. It won't be much worse than regular conventional weapons. The use of non-lethal gas in war is highly dangerous. Its use sets the stage for the use of other cases—for the use of lethal chemical weapons. Although that hasn't yet happened in Vietnam, it did happen in World War I. The first gases used were tear gases. The French and Germans used them in regular military operations. In one artillery barrage alone, at Neuve-Chapelle, 3,000 tear gas artillery shells were fired. This was all before the famous German use of chlorine gas at Ypres in 1915.

"Non-lethal" gas sets the stage for escalation because it makes men wear masks. It teaches officers and men the rather special techniques of gas warfare. It teaches them to look for favorable situations in which to use gas. It causes the military to ask for gases that are more effective. It causes military establishments in all countries to review their previous policies and to consider procurement of their own gas weapons. It erodes the general expectation that gas will not be used in war.

Finally, a strong case can be made that the use of "non-lethal" gas violates the 1925 Geneva Protocol, even though the United States claims it does not. This treaty, ratified by over 60 nations, prohibits the use in war of poisonous, asphyxiating and other gases, and of all analogous liquids, materials, and devices." In 1930 the United Kingdom, France, Rumania, Spain, the Soviet Union, China, Italy, Canada, Turkey, Czechoslovakia, Yugoslavia, and Japan declared that they viewed the use of tear gas in war as prohibited by the Geneva Protocol. The United States, which has not yet ratified the Protocol, was the only nation which disagreed with this view. However, two years later, at Geneva, even we agreed that the use of tear gas should be prohibited in war.

I'd like to turn to the second aspect of what I consider to be foolish and dangerous U.S. policy for chemical and biological weapons. This concerns our international policy. I'd like briefly to trace the development, or I should say the fluctuations in that policy, since World War I. I've described how World War I gas usage began with tear gas, then went to chlorine, mustard, phosgene, and other poison gases. Following that war, language was introduced into the Treaty of Versailles affirming a general prohibition against the use of asphyxiating, poisonous and other gases (the same language that is in the Geneva Protocol) and specifically prohibiting their possession by the defeated powers. Subsequently, in 1922 at the Washington Disarmament Conference, a prohibition against the use of asphyxiating, poisonous and other gases, and all analogous materials, liquids and devices was agreed upon by the nations represented there, including the United States, which introduced it. The Senate recommended ratification of that treaty without a single dissenting voice and the United States ratified it in 1925. Unfortunately, the Washington Treaty never came into effect, because it contained an article on an unrelated matter dealing with submarine warfare to which the French objected. A clause in the treaty required French ratification.

In 1925 there was a meeting in Geneva to discuss the world-wide sale of arms. The United States was represented at that meeting and asked the delegates if they would place on the agenda the question of gas warfare. It was the policy of the United States at that time to press for prohibition of gas warfare. The other nations supported our initiative and the Geneva Protocol was born.

It was signed by the United States and 37 other nations present. However, the Senate failed to approve the Geneva Protocol. It was debated, but never came to a vote. The Senate debate on the Geneva Protocol was partly in secret, and partly in public. The public part began with the reading of a letter from General Pershing who wrote,

"I cannot think it possible that our country should fail to ratify the Protocol which includes this or a similar provision. Scientific research may discover gas so deadly that it will produce instant death. To sanction the use of gas in any form would be to open the way for the use of the most deadly gases and the possible poisoning of whole populations of non-combatant men, women and children. The contemplation of such a result is shocking to the senses. It is unthinkable that civilization should deliberately decide upon such a course."

General Pershing's letter was the only strong statement in favor of the Protocol. An effective lobby was organized at the time by the American Chemical Society, the Army Chemical Corps, the American Legion, and parts of the chemical industry. They opposed ratification of the Protocol and it was referred back to the Foreign Relations Committee and never came out again. The supporters of the Protocol had been caught by surprise. Thinking it would pass through the Senate as easily as the Washington Treaty four years earlier, they failed to do their homework and to organize public support. Subsequently, at the Geneva disarmament conferences in the 1930s, the matter came up again and representatives of the United States and other nations agreed to a treaty covering a large variety of weapons which prohibited the use of gas in war, specifically stating that tear gas was subject to the same prohibition as all other gases. The United States agreed to that stipulation in 1932. This treaty never came into force because the approach of World War II disrupted the meetings.

At the start of World War II the French and British exchanged assurances with the Germans and Italians that gas would not be used and that the Geneva Protocol would be obeyed. And so it was. In all of the combat in World War II on land and on the sea, neither gas nor biological weapons were used at all in Europe. Gas is thought to have been used on several occasions by Japan against China before we entered the war. In essence, however, biological and chemical weapons were not used in that global conflict. Incidentally, both the United States and Germany produced large quantities of tear gas weapons but not even these were used.

In the middle 1950's, the United States budget for chemical and biological warfare research and development ran around ten million dollars a year and our efforts were mainly directed at defense. In the late fifties a large increase began, an increase which in the course of the next five years multiplied the budget more than ten-fold. The earlier emphasis on defense shifted to a new emphasis on employment of CB weapons. At the time of the changes, in 1959, Congressman Kastenmeier of Wisconsin introduced a joint House-Senate resolution stating that its sponsors did not oppose research and development, did not oppose expansion of the program, did not oppose readiness, but did feel that the United States should reaffirm her long-standing World War II policy of never using chemical or biological weapons, except in retaliation.

Unfortunately, I think foolishly, the Defense and State Departments at the time opposed the Kastenmeier resolution, and in separate letters to Congress explained their reasons. The State Department letter of 1959 stated:

"Similar declarations might apply with equal pertinency across the entire weapons spectrum, and no reason is conceived why

biological and chemical weapons should be singled out for this distinction."

The State Department was not perceiving the Geneva Protocol. At the time of the increase in the budget in the late 50's and early 60's, Army manuals added language to say that the United States was not a party to any treaty that would prevent us from initiating the use of chemical and biological weapons and new field manuals were issued emphasizing the offensive employment of gas and germ weapons. And then, as you know, non-lethal gas was used in Vietnam. When non-lethal gas was first used there, it caused a storm of questioning and criticism. At that time Secretary Rusk said that the expectation was that such gases would be used "only in riot-control-like situations," and "not in ordinary military operations." Indeed he may have expected that, but it's not what happened. As you have seen, gas is now used on a very large scale and is used in close support of ordinary, conventional lethal operations.

In 1966 the Hungarians introduced a resolution in the United Nations General Assembly calling upon all nations to observe the Geneva Protocol. The resolution was cast in rather harsh language. The United States, at first, opposed the resolution but then the Hungarians indicated that they were willing to soften the language and it became apparent that essentially all other members of the United Nations were in favor of the resolution. The United States ultimately voted for and even co-sponsored the revised resolution. I'm glad to say that we did so.

In the course of the debate, however, our delegate, Mr. Nabrit said, (departing from the actual text of the Protocol):

"The Geneva Protocol of 1925 prohibits the use in war of asphyxiating and poisonous gas and other similar gases and liquids with equally deadly effects. It was framed to meet the horrors of poison gas warfare in the first World War and was intended to reduce suffering by prohibiting the use of poisonous gases such as mustard gas and phosgene, but it does not apply to all gases. It would be unreasonable to contend that any rule of international law prohibits the use in combat against an enemy for humanitarian purposes of agents that governments around the world commonly use to control riots by their own people."

I leave it to you to evaluate the accuracy and the wisdom of this statement.

Our policy at present is riddled with internal inconsistencies and I might mention just a few. The first is, do we or do we not feel that the prohibition against gas and biological weapons of the Geneva Protocol is binding upon ourselves? The field manuals still say that we are not bound by any such treaty. The State Department on December 22, 1967 on the contrary stated, "We consider that the basic rule set forth in this document has been so widely accepted over a long period of time that it is now considered to form a part of customary international law." But Deputy Secretary of Defense, Cyrus Vance, on February 7, 1967 said to the Foreign Relations Committee, "We have consistently continued our *de facto* limitations on the use of chemical and biological weapons." This statement sounds as though it is merely a matter of present policy subject to change.

The question is, do we or do we not consider ourselves bound by the Geneva Protocol which prohibits first use, but does not prevent research, development, or retaliation? Another question that might be asked of the United States is: do we believe that the use of non-lethal gases in order to kill is covered by the Geneva Protocol? As I mentioned, Secretary Rusk said that the anticipation was that these weapons would be used only in riot-control situations. The facts are very different. Another question: the Defense Department stated before the

Senate in 1967, that "It is clearly our policy not to initiate the use of lethal chemicals or lethal biologicals." I question, why does the Defense Department specify lethal biologicals? Does this mean that it is not against our policy to initiate the use of so-called incapacitating germ weapons?

These are hard questions. The United States, of all nations, should be the first to wish that chemical and biological weapons not be legitimized and not come into general possession and use. These questions had better be answered soon. There's a possibility that better and more consistent answers will be forthcoming because a number of things are taking place on the international scene today with regard to chemical and biological weapons. Unfortunately, none of these have occurred at the initiative of the United States. It's a pity; all of these things could have been done by the United States. The General Assembly has asked Secretary General U Thant to prepare a study on chemical and biological weapons for the use of the Eighteen Nation Disarmament Committee at Geneva, and that study is now going on. The United States has a representative on the study, but the proposal did not come from us. The United Kingdom has proposed at the Eighteen Nation Disarmament Committee in Geneva a total ban on biological weapons, including a prohibition against their use even in retaliation, and also a prohibition on their production.

What should the United States be doing in this area? It seems to me that we should be pressing for universal ratification of the Geneva Protocol; it should be resubmitted to the Senate for advice and consent as to its ratification. I think that the United States should clearly state that we do not intend to separate gases according to their types and kinds, and that we are willing to refrain from using tear gas and anti-crop chemicals in war. We should welcome the British proposal and we should review our multi-million dollar a year investment in chemical and biological warfare research, development and procurement, to make sure that whatever is done, is done in consonance with what should be the overriding objective, namely to prevent the legitimization, proliferation and use of these weapons.

What can scientists like ourselves do about this matter? Possibly a great deal. These are not the weapons upon which the deterrence of war rests. Reasoned argument in this area can have effects. I believe that even a relatively small amount of attention given to these matters by a few citizens can lead thoughtful officials and legislators to look into the matter. I believe that there's a good deal of room for careful study and papers. There is no careful study, of which I'm aware, on the history and legal status of "non-lethal" chemical and biological weapons in war. There's no careful paper of which I'm aware on the reasons why "non-lethal gas warfare" is a myth. The subject is interesting to the general public. Newspapers, radio and television are generally receptive to anybody who wants to present responsible views on this subject. This is an area where scientists can be effective by learning facts and by expressing their views to officials, legislators, and to the public.

Mr. MOSHER. Mr. Speaker, as a cosponsor of the study introduced by the gentleman from Oregon I would like briefly to focus the attention of my colleagues on our present use of chemical weapons in Vietnam.

I was pleased last week to learn that the President has limited the use of the chemical 2,4,5-T, a principal defoliant agent. This restraint was prompted by a finding that this substance is potentially dangerous to the inhabitants of regions where the chemical is applied.

Yet there are strong reasons to eliminate all chemical weapons from the battlefield in Southeast Asia. These weapons are more readily associated with an aggressively offensive strategy, not with the new posture of protective reaction which we have adopted.

Eventually we will have to remove chemical weapons from Vietnam, since control over them should never be allowed to pass from our own military commanders. There is a great danger that chemicals will be used in indiscriminate or inhumane ways if careful control is not exercised over them. When complete Vietnamization of the conflict is accomplished, this control will not be possible. Consequently the war will ultimately have to be conducted without the use of chemical weapons.

If we make the adjustment away from chemicals now, as we should be able to in connection with our shift to a strategy of protective reaction, there could be significant advantages. It would be a clear qualitative decrease in the level of fighting.

This decrease would be a clear signal at home and abroad that the conflict was being deescalated and de-Americanized. I feel this policy deserves serious consideration by my colleagues and I hope the administration will weigh its merits during its continuous review of the Vietnam situation.

Mr. SCHWENGEL. Mr. Speaker, as a cosponsor of the study introduced by the gentleman from Oregon, I hope that a serious reevaluation of our Nation's chemical and biological warfare policy will be forthcoming. The issues which will finally determine that policy are complex, but they are considerably different from those which might prompt us to encourage other countries to achieve an independent CBW capability. I am disturbed that we may already be stimulating CBW proliferation.

According to publicized reports, we are presently giving chemical warfare training to military representatives from many foreign nations. We have been accused of training Egyptian officers who later supervised a gas attack against villagers in Yemen. Regardless of the truth of these charges, they do highlight a danger inherent in our apparent policy of training foreign soldiers in the use of chemical weapons. After they realize that chemical warfare is relatively cheap and extremely difficult to defend against, these officers are likely to request their own chemical capability when they return to their homelands.

The United States gains nothing from CBW proliferation. If other nations use chemical weapons against us, we actually lose a significant conventional firepower advantage.

If such weapons are used in local conflicts by foreign nations, there is a great danger that they will be used irresponsibly or unmercifully. America should not be even indirectly responsible for such tactics.

I believe our reported policy of training foreign military personnel in CBW is in need of serious reevaluation. The policy may not yield a significant advantage and could well make general chem-



ical warfare more likely, thereby compromising our own military position and increasing the level of destruction in even the smallest of conflicts.

#### GENERAL LEAVE TO EXTEND REMARKS

Mr. DELLENBACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on this subject.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### THE PRESIDENT'S ADDRESS TO THE NATION WITH REFERENCE TO HIS VIETNAM POLICY

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS of Alabama. Mr. Speaker, on this day of the President's address to the Nation which will deal with his Vietnam policy, I do not want to add to the already overwhelming amount of prejudging that is going on. I would, however, like to make a few observations about these activities.

Already we are being barraged by commentaries about what the President will probably say, what he most likely will not say, what he might say; but no one—and absolutely no one, but the President and his intimate advisers—can tell you what he will certainly say. The Soviet Union has already practically condemned it. Premier Ky has filled us all in on the fact that there will be nothing new. And the entire American news media feel they somehow have the inside scoop.

I hope that this evening when millions of Americans listen to the words of their elected President they will not already be prejudiced in their thinking. I hope that they will reflect honestly and objectively on what he has to say.

#### FREEDOM BECOMES ILLEGAL— EVERYBODY'S BUSINESS

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, the Supreme Court, ignoring the law, has decided the Mississippi school cases as recommended by the NAACP. It has ordered that the very acts forbidden by Congress be enforced as law. No one but the NAACP and the far left wants racial assignments to meet the "Doctrine of Racial Proportions," and the school boards, the Departments of Health, Education, and Welfare and Justice cautioned delay.

Parents of both races want freedom of choice, but the NAACP, which has never been led by a Negro in its history, persuaded its puppet court to enforce as law the illegal acts of its bureaucratic stooges.

The resulting crisis in our southern schools is every American's business.

When any segment of our citizens has been forcefully removed from basic

freedoms through judicial tyranny, every American is threatened.

We are either one country or we are not, and so long as one section of our country is exploited and made a whipping boy for political expediency, no American is secure from extension of this oppressive theory to include suppression and intervention into his own God-given rights.

One penetrating analysis of the crisis in the South written by a non-Southerner was prepared by Richard B. Cotten, author and editor of *Conservative Viewpoint*, Post Office Box 17194, Dulles Airport, Washington, D.C. 20041.

Mr. Cotten calls his analytical report, "What's Happening in Southern School Districts is Everybody's Business."

I include it as part of my remarks:

*What is taking place in our Southern States is everybody's business! It is very easy for those living outside the South to pretend that somehow what happens there is not their business. Yet, if the government is so far removed from any Constitutional restraints that they can rule by bureaucratic edict—in the Southern States—then what is to prevent it from doing exactly the same to your school district? The answer is: Absolutely nothing! We are either "united" as a Nation and will therefore be able to stand; or we are divided, and are fair game for the "hidden hand" which manipulates our government.*

A few years ago I had no ability to speak "with authority" with respect to our southern states. Born in Arizona and raised in California, I too had believed a great deal of what I had heard about the treatment of negroes—by whites—in the South. I didn't like it one bit. Mind you, I had carefully moved my children into a neighborhood that automatically insured that their school would be segregated. At the same time, however, I felt that somehow, the South was "getting what it had coming to it" or some such nonsense.

I can now say (as many before me have said) "You have to live there to know what it's like." I have lived there—in Shreveport, Louisiana, for three full years, and I travelled extensively in the South, meeting many of their top legislators and government officials, and feel I am qualified to speak to a certain extent. I now know that, beyond any shadow of a doubt, that a Southerner cannot plead his own case, so I intend to do what I can to help the West, the North, the Mid-West, understand what is happening in the Southern States.

These views are my own. I feel very strongly that, unless we can understand—and sympathize with—the South, irrevocable damage will be done our Nation, and another civil war will be brewing. It does not have to happen, if those outside the South will support the South in demanding that the bureaucrats be made to "lay off" writing the laws themselves.

The present controversy centers in the school districts.

First and foremost, the South is aware that the 14th Amendment has never been legally ratified. Furthermore, they know that the Civil Rights "law" cannot (constitutionally speaking) be, in fact, "Law." Nevertheless, they have had to go along with the bureaucrats. They have watched an invasion of northern "Feds" come down and register illiterates after their state constitutional requirements for voters' qualifications had been set aside by imperial mandate. The day will come when other states will wish they had supported the South's resistance to this. They, too, may soon find they are no longer allowed to have state voter qualifications.

The South "went along" with all that happened and, under court order, proceeded to "integrate." This brings us to a vital step. The "law" itself (the 1964 so-called "Civil Rights" law) stipulates that it is not to be used for the sole purpose of overcoming an uneven racial "mix." The Congress made this abundantly clear, and any effort to overcome some percentage "mix" that the bureaucrats find displeasing, has absolutely no legal justification, but rather is done because of bureaucratic edict. Again, this pertains to you and to your school district.

When you are not protected by law but are at the mercy of the whims of bureaucrats, you will never be able to move into a neighborhood "of your choice" without fearing that the Feds will demand that your child be taken and amalgamated in some predetermined mix.

Despite its knowledge of the law, the South had to bend to the whip. Federal Courts held that they had to advise each and every pupil that they had complete "freedom of choice" and, irrespective of where they lived, they could go to any school they wished to attend, anywhere in the city, county (parish), school district. Quite literally, the districts were compelled to spend the taxpayers' money to run ads in the local press. They told the children of their "rights" and even pitted the child against the parent. The child was told that, if sixteen, it didn't matter what its parents said, the school district (under a federal judge's orders) would take the child to any school he wished to attend.

I watched it happen. My children were in school in Caddo Parish, Shreveport, Louisiana, and I saw the ads; saw the notes sent home to the parents; and I saw the children—both black and white—show more sense than the bureaucrats.

They stayed in their own schools, almost without exception and this happened in State after State. The bureaucrats were beside themselves with anger because they were defeated in their desire for a percentage "mix." They had bet their "everything" on the "freedom of choice" basis on which the federal courts ordered the school boards to operate. It was a genuine choice, only the kids showed some sense.

Now, a year later, we are watching naked power at work as the "Feds" attempt to punish southern school districts. They are now demanding that they take a certain number of negro children and put them in a certain school, and another certain number of white children and put them in a school that had been all black. Suddenly, the South has had a "belly full" to put it crudely, and they are about ready to fight back. The tragic part is that the "hidden hand" has been after this. The "hidden hand" is not interested in the education of the children. It wants the white man enslaved in his own land.

Now several things are relevant. My next point is uniquely my own, as far as I know, but it is the essence of why the "West" cannot understand the problem that exists in the South. It has to do with "neighborhood" concepts.

Most of us know what "block-busting" is. This is accomplished when a realtor sells a house in an all-white neighborhood to a black. Thereafter, the rest of the whites flee (to the suburbs) and suddenly an entire neighborhood is black. This is the existing pattern in principal cities in the West, the North, the Middle-West. Virtually without exception, when a neighborhood is "busted", it goes fast. Why? Because the two races cannot live in harmony with each other! This is not opinion but proven fact. Everyone knows it except the bureaucrats.

This is not the pattern in the southern states, and this is why there is no comparable neighborhood concept. This is why the concept of "the other side of the tracks" doesn't operate in the South as it does in the North,

Central and the West. It has to do with the historic relationship between the two races.

Let's be frank. The white man employed the negro as a menial throughout the southern states. The white man lived in the "big house" and the negro lived in a small one, only—and this is the vital heart of the matter—the black man's home was either on the white man's property, or just around the corner. It was not "on the other side of the tracks."

The two races did—and do—live in close proximity, and very significantly, show a mutual respect. This is not based on a concept of "equality" but of mutual regard. For instance, Mrs. White employs Mrs. Black. She knows of Mrs. Black's children, her husband, her problems, and she takes a personal interest in them. She may also hire Mr. Black. At Christmas, there's a present for every member of the Black family, and in times of sickness, there are house calls and doctor's visits and Mrs. White spares no expense. She assumes a measure of responsibility toward Mrs. Black. Occasionally, condescending, it is still better than ignoring them, and that is the relationship that generally exists between the races in, let us say, the far West.

In some ways, the Southerner is strange in his attitude toward the negro, the classic example being the southern gentlewoman who tells of being nursed by a negress (a wet nurse). According to their code, this is not a "social" contact, and with that word we run into a hornet's nest.

The Southerner will not tolerate interracial social contacts, and to the Southerner, school is a "social" contact! Let's face it, kids do swim together, eat together, and dance together. All of this is too much for the Southerner. Nor can he understand how anyone anywhere in the Nation can view this with indifference. The Southerner will employ the negro, and does so, ten to one over his northern or western counterpart. And no longer are the negro's tasks only menial ones in the South.

While we lived in the South, Mary came in one day a week to iron and clean the house, leaving it spick and span. One of Mary's children is a doctor, and at least three have gone through college. Also, once a week, Ed, our gardener, took care of our yard. He made a good living and would work only for those he chose to work for. What he did for me he did on contract. He owned a number of houses which he kept up beautifully. He was a deacon in his church which was having a \$100,000 fund-raising while we lived there, and he "hit me" for a contribution. He had a quota to fill and he did—with the help of his white friends for his all-black church.

But let me stick to facts. The very closeness of the relationship between the races—outside of social contact—is the very reason why they cannot segregate themselves on a neighborhood basis as is done everywhere else in the nation. They live too close. In the South, there were neither all-white or all-black communities. Small sections of blacks' homes are located near the homes of whites, where they earned their living. There are no distinct patterns. This is why school districts cannot be altered, as in the North, to include or exclude "black communities." The two races live too close.

Yet there is a world of difference between the standards, the morals, the beliefs, and the habits of the two races. To take children from these two differing household backgrounds and put them together in a classroom really doesn't make sense.

Are we trying to make the negro child hate the white? Do we want him to go to his momma and demand that brand new bike? Do we want him to learn that somehow he doesn't seem able to learn at the same rate as the white children? Are we trying to truly educate our children, to utilize every ability they possess, whether black or white?

Our own government, in saner moments, has recognized that the two races do not learn at the same rate, nor for that matter, neither do the same teaching tools apply. Are we to hold back the bright student whose only fault is being white and bright? Or are we going to build the best schools we can afford; hire the best teachers that can be hired; and do our level best to help all children attain whatever they are capable of attaining? That is what the South is determined to accomplish and it can accomplish it—if the bureaucrats will get off their back.

The South was in virtual economic bondage for one hundred years following the Civil War and during the subsequent carpet-baggers' raids. Their schools were poor, by most standards, but they have been improved. Furthermore—and this is fact, not opinion—generally speaking, the newer schools are negro schools while the white child takes what's left. There is a sound reason for this.

As the pressure grew for "separate but equal" schools (with emphasis on the equal) the white Southerners voted—and paid for—the bonds to build new schools for the blacks, just as they vote for bonds to build hospitals to care for indigent blacks. So they evidence their regards for the blacks, but, with very few exceptions, the negro lives in a world apart from the white. Even the children—with very few exceptions—know better than to try to integrate the schools.

Yet now the courts, having learned that "freedom of choice" won't accomplish their desired "racial mix", are demanding—completely without any law to back it up—a certain "mix." They are taking children from their parents and sending them to schools they do not wish to attend. They are destroying the southern school system, and I say it is being done with evil intent.

At this moment, the negro children are showing a great deal of sense. They are demanding to be allowed to return to their own negro high schools; demanding to be allowed to go to school with their own brothers, sisters, and friends. Doesn't that make sense?

Narrow this down to the individual. The negro child has always been taken in a certain bus (or he walked) to the school where he met his friends. He is, or will be, on the football team, or the swimming team, or what have you, and he will compete for recognition among his classmates and friends. He also undoubtedly has a girl friend—or friends. He is not in school for the purpose of fulfilling any bureaucrat's concepts.

He may even be a little selfish in his thinking. His big brother was on the football team at "Lincoln High", and he wants to follow in his footsteps. Furthermore, the big game of the year is against "Carver High" and this is the dream-stuff that kids are made of and it makes no sense to take it away from them, be they black or white.

The South is still hoping to prove, through an orderly process of law, that anything beyond "freedom of choice" is not only unconstitutional, but must be prohibited by the courts. Senator Thurmond, for example, has "read between the lines" and feels that the present administration is really moving the matter out of the hands of HEW and into the "Justice" Dept. and from there it will find its way to the courts. Obviously, it is of vital importance to see that the new appointees to the U.S. Supreme Court are Constitutionalists. This is going to be an earth-shaking decision; could well take years; and the South is working toward it. In the meantime, however, they will resist, with all the power at their command, any bureaucratic edict.

Miracle of miracles, the nation's press is giving full coverage to the fact that it is the negro children (in Louisiana) who are demanding that they be allowed to return to their own schools and to their friends.

A great deal could be accomplished if citizens across the land would write to their own senators and congressmen, and to the White House as well, letting them know that they are in sympathy with the South, and that "freedom of choice" is the American way. What Conservative Viewpoint fears is that, through the seeming indifference of the North, the Central States, and the far West, the bureaucrats will gain strength through our silence.

#### PRESIDENT NIXON'S ADDRESS AT THE MEETING OF THE INTER-AMERICAN PRESS ASSOCIATION

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, on Friday evening it was my privilege to be present at the meeting of the Inter-American Press Association, when President Nixon addressed the association on, "Action for Progress for the Americas."

Mr. Speaker, I was greatly impressed by the President's speech which was, in my opinion, carefully considered, well presented, and appreciatively received.

The President's speech was a strong speech. It was an honest speech. It did not promise the moon, but it did promise that a nation that could go to the moon would work with our neighbors here on earth.

I feel that the President should be commended for his forthright and constructive approach—an approach that emphasized the concept of partnership between North and South America. Another strength in my opinion, was the fact that he did not make too many concessions in advance of further negotiation.

Mr. Speaker, it seems to me that the President's speech points the United States toward a new era in its relations with the Americas. As the President said:

For years, we in the United States have pursued the illusion that we could remake continents.

But our experience has taught us better.

What we can hope to achieve, as the President said, "is a more mature partnership in which all voices are heard and none is predominant—a partnership guided by a healthy awareness that give-and-take is better than take-it-or-leave-it." I think the President made clear that "we do care" and I believe that from his address will come a new and more constructive partnership.

#### ESTABLISHING A NATIONAL DEVELOPMENT BANK

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. PATMAN) is recognized for 30 minutes.

(Mr. PATMAN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, congressional promises of a decent home, a suitable living environment, and full em-



ployment have been turned into empty phrases by the high-interest, tight-money conditions that grip the Nation's economy.

We promised to see to it that 26 million new and rehabilitated housing units were provided for the people of this Nation in 10 years—an average of 2.6 million units a year. Instead, we are providing housing at a rate of only 1.5 million units a year, little more than half the volume required to meet the national housing goals so enthusiastically adopted last year by Congress. Those housing goals, rather than standing as a measurement for achievement, have come to represent the failure of the Nation, and its Government to provide decent dwellings for our citizens—especially for the low- and moderate-income families of the country, the people whose need is the greatest and who suffer the most from inadequate housing. Whether we will admit it or not, this Nation is suffering from a housing recession. This is exemplified by the fact that construction of low-income housing has decreased by 70 percent, that present interest rates are now costing the owners of \$20,000 homes more than \$32,000 in interest alone during the term of their mortgages, that interest rates are now at maximum legal ceilings in a number of States with the result that sources of mortgage funds have all but dried up.

#### SYSTEM BREAKDOWN

Other symptoms of a breakdown in the system include a Federal Housing Administration report that only 55 percent of its regional offices have access to an adequate supply of funds for FHA-insured mortgages. Savings and loan associations, which finance nearly half of all residential mortgages in the country, gained \$2.1 billion in new savings during the first 8 months of the year compared to a level of \$3.2 billion last year. The Housing and Urban Development Department is reported to be working on plans to make a subsidy payment of 1 percent to securities dealers to market HUD's short-term notes used to finance public housing and urban renewal projects which in turn means that State and municipal governments will have to offer higher interest rates on their obligations.

Clearly we are being strangled by rampant interest rates, which are pricing people out of the housing market and destroying the housing industry.

Mr. Speaker, these are symptoms of a housing crisis that should not exist at all and must not exist any longer if the people of the Nation are to retain faith in the ability of our democracy to meet their needs. This is no generalization. Our ability to finance and construct housing presents a poor comparison to the accomplishments of Russia which has given housing the priority status it deserves. While we are producing housing at a rate of 1.5 million units a year, Russia is producing more than twice that volume, 3.25 million units a year. While we are building 30 apartments a day in Washington, Russia is building 300 a day in Moscow.

#### AND NOW UNEMPLOYMENT

Employment is following housing in a downward spiral. Last month the unemployment rate reached 4 percent, reflecting the largest single increase since the beginning of the decade, bringing total joblessness to 3.2 million persons. And the end is not in sight. Henry C. Wallich, senior consultant to the Secretary of the Treasury, estimated unemployment will climb to 5 percent by the end of next year and economist Milton Friedman, a campaign adviser to the President, estimates it will go to 7 percent or higher. If it does, nearly 6 million people will be out of work and the recession in housing will have spread throughout the Nation's economy.

These figures first of all represent a tragic, needless worsening of conditions for those of our people who are trapped by lack of education. Lack of skills, and lack of opportunity in depressed urban and rural areas. Almost all of those who make up the total of 3.2 million unemployed live in these areas. Our crisis in housing and the growing rate of unemployment are centered on the unmet needs of these people. We cannot truly begin to answer the housing and employment requirements of the Nation until we successfully respond to the problems of these people and provide them with the opportunities they deserve and must have.

I wish it was possible to say that the legislation many of the present House Members helped develop and support during the last 8 years had moved us a long way toward providing adequate housing, education, and job opportunities for all of our people. High interest and tight money conditions have made that impossible. High interest and tight money conditions have brought us to a point where we are producing less housing than in recent years—brought us to the point where the unemployment rate has climbed to the level of 2 years ago and may very likely go to a recession level unless the necessary investment funds are made available on reasonable terms to State and local governments, to small and moderate size businesses and industries, and for loans for the construction and purchase of homes.

#### PROGRAM CUTBACKS

High-interest, tight-money policies have prompted the administration to cut back on many of its own programs. Among other things, Federal construction has been reduced 75 percent, some \$215 million is being held out of the model cities program, at least \$2 billion is going unused in the Government National Mortgage Association fund for special assistance for low- and moderate-income housing, Federal grant funds for water and sewer systems have all but disappeared. The effect on State and local governments has been even more drastic. Literally billions of dollars worth of bonds to build schools, hospitals, roads, and other public facilities have been withdrawn from the market because maximum legal interest rate ceilings on these securities were less than the rates being demanded on Wall Street. Clearly,

this is a description of disaster in the making.

Particularly so when the gouging effect of these same high-interest-rate money policies on small- and medium-size businesses and industries is realized. Five successive increases in the prime rate in less than a year have placed such firms under a tremendous burden in terms of the cost of money which they must borrow in order to stay in operation. The present unconscionable 8½-percent prime rate to the big, low-risk borrowers of large commercial banks means that all other business and industrial borrowers must pay much more than that for their loans—12 or 13 percent and more in some cases. These exorbitant interest rates in turn drastically reduce the ability of these firms to compete in the marketplace. They either have to cut back expenditures in important areas or raise prices or both. The result is that fewer jobs are available and the cost of goods for everyone soars.

#### AN ANSWER

Mr. Speaker, in answer to these problems, I am today introducing a bill which is designed to provide some of the resources that present economic policies and the conditions stemming from those policies are withholding from those in desperate need. This measure would create a development bank for the Nation with a potential to make direct loans as well as guarantee loans made by conventional lending institutions to finance low- and moderate-income housing, employment opportunities for those who are unemployed or have low incomes, and public facilities for depressed urban and rural areas. It would be initially capitalized with \$1 billion in stock subscribed to the Federal Government, have a debt limit of 20 times that amount, and make or guarantee loans at 6-percent interest. To some extent, the Bank is patterned after the Reconstruction Finance Corporation which performed so well to bolster the Nation's economy and help the people during the 1930's and 1940's.

Specifically, the Bank will make or guarantee loans for—

Housing under the insured and guaranteed low- and moderate-income housing programs of the Department of Housing and Urban Development, the Veterans' Administration, and the Farmers Home Administration;

Public facilities to meet social, health, education, transportation, and other needs in depressed urban and rural areas;

Improvement, expansion, and establishment of businesses and industries providing employment opportunities at adequate wage rates for unemployed and underemployed persons;

Supporting public facilities required by businesses and industries; and

Promoting private investment in such projects and facilities.

Mr. Speaker, it is my conviction that this bill not only will help to provide urgently needed resources for depressed urban and rural areas, but will show the way for the administration and the private sector to truly respond to the needs of the people by making available ade-

quate funds at reasonable rates. We cannot house the people without building houses. We cannot educate them without building schools. We cannot have employment opportunities unless business and industries can obtain the capital they need at reasonable prices. This bill will help to do these things. It is a beginning.

Mr. Speaker, the full text of my development bank bill follows:

H.R. 14639

A bill to establish a Development Bank to aid in financing low and moderate income housing, employment opportunities for unemployed and low income citizens and public facilities in certain urban and rural areas

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.*

#### SHORT TITLE

SECTION 1. This Act may be cited as the Development Bank Act.

#### FINDINGS AND PURPOSE

SEC. 2. The Congress finds that inflation and high interest-tight money policies are making it impossible to meet the national housing goals for low and moderate income families, and provide urgently needed public facilities and employment opportunities for those Americans trapped in depressed urban and rural areas by circumstances over which they have virtually no control. Accordingly, the Congress finds it necessary to establish a Development Bank to provide credit on reasonable terms and technical assistance for:

- (1) Low and moderate income housing;
- (2) Public facilities to meet social, health, and educational, transportation and other needs in depressed urban and rural areas;
- (3) Improvement, expansion and establishment of businesses and industries providing employment opportunities at adequate wage rates for unemployed and underemployed persons;
- (4) Supporting public facilities required by such businesses and industries;
- (5) Promoting private investment in such projects and facilities.

#### DEFINITIONS

SEC. 3. (1) The term "low and moderate income" shall be identical to definitions made by the Secretary of Housing and Urban Development in establishing criteria by which families qualify for occupancy of dwellings supplied under the low and moderate income rental and home ownership programs of the National Housing Act.

(2) The term "public facility" means the structures and equipment owned and operated by State and local governments to provide medical, social, educational, transportation and other services.

(3) The term "supporting public facilities" means those facilities which are usually publicly owned and are necessary for the operation of businesses and industries, such as roads and sewer and water systems.

(4) The term "depressed urban and rural areas" means those areas which may be designated without regard to political boundaries by the Secretary of Labor, the Secretary of Commerce and the Director of the Office of Economic Opportunity on the basis of the most recent appropriate annual statistics for the most recent available calendar year, as having a rate of unemployment of at least 6 percent for the preceding calendar year, or a high rate of underemployed persons whose income does not exceed the level of poverty as that level has been established by the Department of Health, Education and Welfare, or where pending loss of business or industry is expected to produce such conditions, or those areas characterized by substantial

outmigration resulting from the lack of job opportunities, or those areas suffering from other conditions which in the judgment of the board of directors of the Bank qualify them for assistance under the provisions of this Act.

(5) The term "adequate wage" means a wage which shall not be lower than whichever is highest; (a) the minimum wage under the Fair Labor Standards Act of 1938, (b) the minimum wage set by State or local governments, (c) the prevailing rate of wages in the area for comparable work.

(6) The term "effective interest rate" means the total amounts paid on a loan for interest, commissions, bonuses, discounts, premiums and other similar charges.

#### ESTABLISHMENT

SEC. 4. There is created a body corporate to be known as the Development Bank (referred to in this Act as the Bank). No loan may be made by the Bank unless the borrower is unable to obtain funds on reasonable terms from other sources.

#### BOARD OF DIRECTORS

SEC. 5. The management of the Bank shall be vested in a Board of Directors consisting of the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Housing and Urban Development, the Secretary of Labor and ten other persons who shall be appointed by the President with the advice and consent of the Senate. Of the ten persons so appointed, one shall be an elected or an appointed official of a State government, one shall be an elected or appointed official of a local government. All of the other persons so appointed shall be from the private sector. Two shall be from among representatives of organized labor, two shall be from among representatives of business and finance, two from among representatives of social welfare organizations dealing with the problems of low income urban residents and two shall be from among representatives of rural organizations dealing with economic and social problems of depressed rural areas. The terms of directors appointed by the President shall be two years, commencing with the date of enactment of this Act. Any director appointed to fill a vacancy shall be appointed only for the unexpired portion of the term. Any director may continue to serve as such after the expiration of the term for which he was appointed until his successor has been appointed and has qualified.

#### APPOINTMENT OF OFFICERS AND EMPLOYEES

SEC. 6. The Board of Directors of the Bank shall appoint a president of the Bank and such other officers and employees as it deems necessary to carry out the functions of the Bank. Such appointments may be made without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and persons so appointed may be paid without regard to the provisions of chapter 51 of subchapter III of Chapter 53 of such title relating to classification and General Schedule pay rates. The president of the Bank shall be an ex officio member of the Board of Directors and may participate in meetings of the board except that he shall have no vote except in case of an equal division. No individual other than a citizen of the United States may be an officer of the Bank. No officer of the Bank shall receive any salary or other remuneration from any source other than the Bank during the period of his employment by the Bank.

#### CONFLICT OF INTEREST

SEC. 7. (a) No director, officer, attorney, agent or employee of the Bank shall in any manner, directly or indirectly, participate in the deliberations upon or the determination of any question affecting his personal interests, or in the interests of any corporation, partnership, or association in which

he is directly or indirectly personally interested.

(b) The Bank shall not engage in political activities nor provide financing for or assist in any manner any project or facility involving political parties, nor shall the directors, officers, employees or agents of the Bank in any way use their connection with the Bank for the purpose of influencing the outcome of any election.

#### GENERAL CORPORATE POWERS

SEC. 8. Except to the extent inconsistent with the provisions of this Act, the Bank shall have the general corporate powers of a corporation organized and existing under the laws of the District of Columbia.

#### PRINCIPAL OFFICE; BRANCHES

SEC. 9. The principal office of the Bank shall be located in the District of Columbia, and it may establish agencies or branch offices in any city of the United States.

#### CAPITAL STOCK

SEC. 10. (a) The Bank shall have capital stock of \$1,000,000,000, subscribed by the United States, payment for which shall be subject to call in whole or in part by the Board of Directors.

(b) The Secretary of the Treasury is authorized to, and upon request of the Board of Directors shall, purchase stock in amounts designated by the Board of Directors up to a total of \$1,000,000,000.

#### BORROWING AUTHORITY

SEC. 11. (a) The Bank may issue notes, debentures, bonds and other evidences of indebtedness in such amounts and on such terms and conditions as the corporation may determine subject to the limitations prescribed in this Act.

(b) The aggregate outstanding indebtedness of the Bank under this section at any time may not exceed twenty times the paid-in capital stock of the Bank at that time.

(c) The obligations of the Bank under this section shall be fully and unconditionally guaranteed both as to interest and principal by the United States and such guarantee shall be expressed on the face thereof.

(d) In the event that the Bank is unable to pay upon demand, when due, any obligation under this section, the Secretary of the Treasury shall pay the amount thereof and thereupon to the extent of the amount so paid by the Secretary of the Treasury shall succeed to all the rights of the holder of the obligations.

#### PURCHASE OF ASSETS BY TREASURY

SEC. 12. The Secretary of the Treasury is authorized to purchase from the Bank any asset of the Bank at such price as may be agreed upon between the Secretary and the Bank.

#### DISCOUNT BY FEDERAL RESERVE BANKS

SEC. 13. (a) The several Federal Reserve banks are authorized to purchase or discount any note, debenture, bond or other obligation, secured or unsecured, held by the Bank.

(b) Obligations of the Bank are eligible for purchase by the Federal Reserve Open Market Committee.

#### INVESTMENT STATUS OF OBLIGATIONS OF BANK

SEC. 14. All obligations issued by the Bank shall be lawful investments for, and may be accepted as security for, all fiduciary, trust and public funds the investment or deposit of which is under the authority or control of the United States or of any officer or officers thereof.

#### LOANS FOR LOW AND MODERATE INCOME HOUSING

SEC. 15. (a) The Bank may make or guarantee loans for the purchase of low and moderate income housing under the insured and guaranteed loan programs of the Department of Housing and Urban Development, the Veterans' administration, the Farmers Home Ad-



ministration of the Department of Agriculture and for military housing under sections 809 and 810 of title VIII of the National Housing Act.

(b) The Bank may make or guarantee loans to developers, contractors, subcontractors and other persons to finance the construction of low- and moderate-income housing under the insured and guaranteed loan programs of the Department of Housing and Urban Development, the Veterans' Administration, and Farmers Home Administration of the Department of Agriculture and for military housing under sections 809 and 810 of title VIII of the National Housing Act.

(c) Loans made under (b) of this section shall not exceed an effective interest rate of 6 per centum per annum or the discount rate of the Federal Reserve System, whichever is lowest, or a lesser rate of interest established by the board of directors of the Bank.

#### LOANS FOR COMMUNITY DEVELOPMENT

SEC. 16. (a) The bank may make or guarantee loans or purchase obligations to finance capital expenditures for public works, community facilities, land for housing development, public transportation and similar community facilities, such projects and facilities to be in keeping with comprehensive area land use plans where such plans exist, providing that such facilities and projects are of direct and substantial benefit to residents of urban slum and depressed rural areas, or provide other benefits specified by the Bank to carry out the purposes of this Act.

#### LOANS TO COMMERCE AND INDUSTRY

SEC. 17. (a) The Bank may make or guarantee loans for the purchase of real and personal property, for working capital and for training purposes to assure that existing businesses and industries have adequate funds and skilled manpower resources to compete in the marketplace for establishment of new businesses and industries providing that—

(1) borrowers agree to fill a specified number or job openings to be determined by the Bank with people who, prior to such employment, were unemployed and underemployed;

(2) or borrowers agree to conduct training courses for a specified number of unemployed and underemployed persons to be determined by the Bank with the result that these persons will, within a period of time to be determined by the Bank, be employed full time by the borrower.

(3) or borrowers agree to other requirements laid down by the Bank to carry out the purposes of this Act.

#### LOANS FOR SUPPORTING PUBLIC FACILITIES

SEC. 18. (a) To carry out the purposes of this Act, the Bank may make or guarantee loans or purchase obligations to finance the purchase or construction of roads, sewer and water systems, power and similar facilities necessary for the operation of businesses and industries or the operation of public facilities providing social, health, welfare, educational and other services to residents of urban slum and depressed rural areas.

(b) The effective interest rate for such loans shall not exceed 6 per centum per annum or the Federal Reserve discount rate, whichever is lower, or a lesser rate established by the board of directors of the Bank.

#### TECHNICAL AND OTHER ASSISTANCE

SEC. 19. The Bank may provide to borrowers whatever assistance, technical or otherwise, it considers necessary to protect its investment and to carry out the purposes of this Act.

(b) The Bank shall assign an adequate number of staff members.

(c) To assure fulfilling the purposes of this Act, the Bank shall direct an adequate number of staff members to seek out and confer with representatives of State and local governments, public agencies, nonprofit private organizations, companies, corpora-

tions, partnerships and individuals, in order to provide information about the services furnished by the Bank and to provide whatever assistance is necessary for utilization of such services.

(d) To meet other requirements laid down by the Bank to carry out the purposes of this Act.

#### SECURITY REQUIRED

SEC. 20. The board of directors of the Bank shall make whatever arrangement it considers adequate to secure loans made by the Bank.

#### MAXIMUM MATURITY

SEC. 21. (a) Each loan made by the Bank to a lending institution may be made for a period not exceeding five years, and the Bank may from time to time extend the time of payment of any such loan, through renewal, substitution of new obligations, or otherwise.

(b) Each loan made by the Bank to any State or local government may be made for a period not exceeding twenty years, and the Bank may from time to time extend the period of payment.

(c) Each loan made by the Bank to any private corporation, company or individual may be made for a period not exceeding ten years, and the Bank may from time to time extend the period of payment until the loan is retired or until the loan is refinanced through another lending institution and the borrower's obligation to the Bank is erased.

### PRESIDENT NIXON'S LATIN AMERICAN ADDRESS

(Mr. ANDERSON of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, I was frankly impressed by the Latin American policy speech given by President Nixon last Friday night. For those expecting a new set of high-sounding promises it was probably a disappointing speech. For those expecting candor and realism it was a satisfying departure from the extravagant rhetoric we have heard from others in the past. In the President's words:

I offer no grandiose promises and no panaceas. I do offer action.

The President talked of "action for progress" in the Americas predicated on "a more mature partnership in which all voices are heard and none is predominant." That type of partnership is possible today because we have learned some valuable lessons from our early attempts at development assistance. The President made a very frank observation regarding this earlier approach:

For years, we in the United States have pursued the illusion that we could remake continents. Conscious of our wealth and technology, seized by the force of our good intentions, driven by habitual impatience, remembering the dramatic success of the Marshall Plan in postwar Europe, we have sometimes imagined that we know what was best for everyone else and that we could and should make it happen.

The President has correctly pointed out that if our efforts are to have real developmental impact, they must reflect a basic respect for the national identity and national dignity of the recipient countries. This is vital to a truly workable and effective partnership. The President points to the need for a shift to

multilateralism in treating inter-American problems.

An editorial in Sunday's Washington Post made the following observation:

Doubtless, the Alliance for Progress was too ambitious; surely it was oversold and the Washington emphasis in it too overbearing.

To facilitate the shift from paternalism to partnership, the President has proposed a multilateral, inter-American agency begin to play a larger role in development assistance decisionmaking. It may be that the existing Inter-American Committee for the Alliance for Progress can assume this responsibility.

The President has also outlined several new trade initiatives to assist the Latin American nations in expanding their imports. Included among these would be a vigorous effort to reduce nontariff barriers against products of particular interest to Latin countries; and pressing in world trade forums for a liberal system of generalized tariff preferences for all developing countries.

The President has also promised to free AID loan funds to be spent anywhere in Latin America, not just in the United States. And the President has also promised to review all other onerous restrictions and conditions placed on our assistance loans with a view to modifying or eliminating them.

Mr. Speaker, there are those who will criticize the President for not making bigger and better promises than his predecessors and for not presenting a more detailed American blueprint for Latin American development. This criticism is understandable from those who persist in their "Big Brother knows best" approach to our Latin neighbors. They are not capable of perceiving the hypocrisy in advocating both an American blueprint and a true partnership. The time has come to break from the mentality of the sixties which permitted us to impose our ideas on other nations.

Let us approach the second decade of development armed with the lessons of the past and a rededication to assisting in the development of the third world. President Nixon has reminded us:

Progress in our Hemisphere is not only a practical necessity but a moral imperative.

At this point in the RECORD I include an editorial which appeared in the Sunday, November 2, New York Times, under the heading, "Modest Steps for the Americas":

#### MODEST STEPS FOR THE AMERICAS

After nine months in office, President Nixon has made a beginning on a policy for Latin America. It is a modest program, but it does commit the United States anew to a special relationship with the nations of its own hemisphere and it binds this Administration to the principles and compacts of the inter-American system.

If there is nothing really new in the proposals Mr. Nixon made before the Inter-American Press Association, he has at least taken several positive first steps. And there was a good case for reserving the details of the Administration's position on social and economic policy for the important negotiations later this month at the Organization of American States.

It was refreshing to hear a President say that experience has taught the United States it cannot "remake continents" and does not

invariably know what is best for others. Mr. Nixon's projection of a more balanced hemisphere partnership, "In which the United States lectures less and listens more," matched exactly the tone taken by twenty-one Latin governments in the Consensus of Vina del Mar last May.

In this connection no step could be more important—for making the United States role less pervasive and less abrasive, for encouraging Latin initiatives and for enhancing the Organization of American States—than to turn over responsibility for dispensing economic development aid to an inter-American agency. Mr. Nixon has moved cautiously toward this kind of multilateralism; his suggestion for giving the job to an expanded Inter-American Committee for the Alliance for Progress (C.I.A.P.) is excellent.

So is the President's decision to subject United States economic policies and practices to a periodic check-up by C.I.A.P. to determine their effect on other hemisphere countries. This has always been required of all other members of the Alliance for Progress. Another major forward step will be taken if Mr. Nixon makes good his promise henceforth to consult the Latins in advance on all decisions on trade policy that affect them—a step that will require greater coordination than ever before among Federal departments and agencies.

In two other important areas, the Nixon advances were considerably more modest than many had expected. He repeated the promise made by President Johnson at Punta del Este in 1967 to press in world-trade forums for generalized tariff preferences for all developing countries; but he stopped short of pledging that the United States would unilaterally adopt such a system for a trial period if other industrial nations failed to agree.

With considerable flourish, Mr. Nixon announced the scrapping of the requirement that American loans to hemisphere nations be used only for purchases in this country. But he untied this aid money only to the extent of allowing it to be spent "anywhere in Latin America," rather than anywhere in the world, as the Latins had requested.

Mr. Nixon's proposed upgrading of the Assistant Secretary of State for Inter-American Affairs to Under Secretary reflects an Administration conclusion that the United States willy-nilly has a special relationship with its hemisphere neighbors. But only time will determine whether this move brings better coordination to Washington's Latin-American activities.

Many will be disappointed that the President accepted as a necessity the concept of dealing on an equal basis with democracies and dictatorships in the hemisphere. But even many Latin democrats accept this as a realistic policy and prefer it to unilateral Washington experiments in social engineering.

Why Mr. Nixon took so long to come up with a basic policy for an area in which he claims special competence remains a mystery. However, if he can now follow through with, and expand on, the modest advances he has projected, the time lag will not be of crucial importance. At least, the President emphatically has not disengaged this country from the inter-American family and the collective machinery built up over many years to sustain it.

#### GAY IS GOOD—SODOM AND GOMORRAH III

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK, Mr. Speaker, a recent feature article in the leftwing Washington Post, followed in a few days by an approving editorial comment, heralds

another project to destroy the fabric of the Nation.

We have seen a consistent and constant attack by the left on all of the values which built this Nation to a civilized power. The family, being in the way of socialist revolution, is scheduled for destruction.

The trumpets blow in support of abortion, marihuana, atheism, sedition, and sexual perversion. A task force of the National Institutes of Health has just released its report, lauded in these articles, approving of homosexuality and recommending that the taxpayers provide the money to conduct a study of this particular perversion for the purpose of giving it social approval.

I include the clippings to which I refer as part of my remarks, and commend to the attention of all Americans an important, but often overlooked portion of our Judeo-Christian heritage, Leviticus 18: 22-30, and 20: 13.

[From the Washington Post, Oct. 25, 1969]

#### GAY IS GOOD—HOMOSEXUAL REVOLUTION

(By Nancy L. Ross)

In October of last year, 65 professional people gathered in San Francisco for a symposium sponsored by the Council on Religion and the Homosexual. For three days, teachers, clergymen, psychiatrists, lawyers and anyone else interested listened to homosexuals describe not only their personal and social problems, but also their lifestyles.

Each evening after the sessions, the homosexuals took the group out on the town to restaurants, bars and cinemas where they had a chance to see gay life in action; couples of the same sex dancing together, male go-go dancers and strippers, female impersonators, and films showing nude homosexual lovers.

"You don't just show somebody a homosexual in a gray flannel suit and say this is it; we wanted the straights (heterosexuals) to see everything," declared an organizer. The symposium received such favorable reaction from participants that it was repeated and will be held for the third time next month.

In September of this year, the Gay Liberation Front picketed the Village Voice in New York to protest the use of what they considered derogatory terms referring to them in editorial copy and the refusal (temporary, it turned out) of the newspaper to use the words "gay" or "homosexual" in classified ads.

The demonstration followed by less than two months a riot by 500 homophiles (homosexuals and sympathizers) protesting a police raid on a gay bar in Greenwich Village, and present sodomy laws. Crying "Gay Power to Gay People" and singing "We Shall Overcome," they threw firebombs and bricks at police. There were no wholesale arrests or reprisals. The militants vow to continue.

Though few Americans heard of these incidents and fewer still participated, their significance should not be overlooked. Together they illustrate, on the one hand, the new openness, and, on the other, the new militancy on the part of homosexuals, who call themselves America's second largest minority group, estimated at anywhere between eight and 15 million men and women. (Of course the great majority, as in any other group, continue to lead their own private, and often in this case secret, lives without getting involved in causes.)

Taking their cue from the black revolution, militant leaders are using the same tactics to obtain justice, equality and power for homosexuals. Others, taking advantage of our permissive society, seek to bring out into the

open a subject formerly as taboo as abortion and birth control. (The codeword "gay," first used in the '20s, is a reminder of days when "homosexual" was scarcely mentionable in public.)

As among black leaders, controversy has developed within the ranks of homosexuals as to best method of achieving their ends. San Francisco's Leo Laurence, an avowed militant, revolutionary homosexual, has allied himself with organizations like the Black Panthers. Jack Nichols, managing editor of New York's Screw magazine, suggests, instead, peaceful protests such as a subway kiss-in and a dance-in to integrate straight night clubs. The latter technique was tried successfully this fall at the Electric Circus in Greenwich Village.

Come Out!, "a newspaper by and for the gay community," in its first issue, dated Nov. 14, 1969, castigates Gay Power, a New York paper run largely by nonhomosexuals for trying to "cash in on the new interest in homosexuality via the new freedom of the press." Come Out charged that in one issue Gay Power had attacked well-known homosexuals by name in print, endorsed Mafia-run bars in New York and included "borderline" pornography.

The Advocate, a Los Angeles homophile paper, condemns brashness as well as violence and even cautions against "the implications of alliance with nonhomosexuals whose already poor image can do more harm than the temporary gain of a few people on a picket line."

While it is true public protests by homosexuals originated in Washington in 1965 with picketing the White House, the Pentagon, the State Department and the Civil Service Commission, there is as yet no militancy here of the New York or Los Angeles ilk. The gay community has better relations with the police than in those cities, Washington retains a large measure of conservatism inimical to homosexuality. And, just as important, homosexuals employed by the government fear to declare themselves lest they lose their jobs.

Homosexuality in the nation's capital remains largely underground, but an increasing number of cracks have appeared in the earth's surface.

Society's awareness, though not necessarily its tolerance, of homosexuality has grown, due in part to the spate of movies and plays on the subject in the past two years. Homosexuals complain that plays like the off-Broadway hit, "The Boys in the Band," do more harm than good by presenting stereotype gays—limp-wristed, mincing, effeminate types out to destroy themselves and everyone else. The reaction gap between gays and straights to these plays is further illustrated by a new one entitled "And Puppy Dog Tails." This is the first play to depict happy homosexuals, showing affection toward one another. It received raves from gay reviewers, but was panned by New York Times drama critic Clive Barnes as having an unbelievable plot as well as poor writing, construction and characterization.

The release this week of the National Institute of Mental Health's report recommending the repeal of laws against homosexual acts between consenting adults in private and reassessment of bans by employers against hiring homosexuals comes at a time when, despite the new permissiveness and concern for minorities, two out of three Americans, according to a CBS poll, still regard homosexuals with "disgust, discomfort or fear."

Were these reforms to be effected, "it would be the millennium," commented a homosexual.

Until now, nearly all of his new freedoms—and there have been many in the past two or three years—have been extra-legal. An admitted homosexual still cannot get U.S. government security clearance, serve in the army or, with one exception, the civil service. In a precedent-setting move, New York



City abolished this last prohibition in May of this year.

This past spring, a Los Angeles homophile group put up its own candidate for City Council (he lost). And, for several years, politicians have accepted invitations by homosexual groups to address them and, in some instances, accept their active support.

The Bay Area's Film Festival this month featured the first gay all-male nude film made by Pat Rocco, a pioneer in that genre. Los Angeles ran its second annual Groovy Guy beauty contest this summer with males parading in tight blue jeans and briefs. The Metropolitan Community Church in Los Angeles, founded last fall by a gay preacher for gays, now has a congregation of several hundred.

Activities of this nature remain unthinkable in Washington, at least for the present, in the opinion of many people. For instance, the gay community, in the metropolitan area, which is said by members to range from 100,000 to 250,000 (including married persons whose primary sexual preference runs toward homosexual relations), has no newspaper like the *Advocate* or *Come Out*. The only publications are the homophile *Mattachine Society's* conservative newsletter, devoted mainly to legal matters, and a nascent mimeographed sheet of somewhat the same genre called *Gay Blade*.

There are no movie houses specializing in homosexual films. The Andy Warhol gay "skin-flick" entitled "Flesh" was screened for the first time by a local theater just a week ago.

Thus it is evident Washington does not yet compare with New York or California. Local openness is best measured against the situation 20 years ago. At that time two or three gay bars existed under strict police supervision. Pay-offs, though not limited to homosexual hang-outs, were common. Entrapment of homosexuals and arrests were frequent.

Today the International Guild Guide—available at certain downtown bookstores—lists approximately 20 bars, nightclubs and restaurants catering exclusively to homosexuals and that number again which welcome them along with straight patrons. By comparison, San Francisco with a smaller population has 100. Washington homosexuals still prefer the privacy of their own homes. And there are those who disdain bars and even gay parties completely.

The establishments, located primarily in Georgetown, the Capitol Hill area and along 14th Street, are rated—up to "utterly fantastic"—and coded so the visitor knows what to expect: lesbians, hustlers, military, leather-jacket toughs, primarily Negroes, elegant atmosphere, drag show, dancing, at your own risk, etc.

It is just within the past year or two that unisexual dancing has become commonplace in gay clubs; male go-go dancers perform wearing only little pieces of netting, and moderate displays of affection (light kissing and touching) are permitted.

In general the police now leave homosexuals alone in private and in clubs except upon receiving complaints of soliciting or lewd conduct. Decorum is usually maintained in places frequented by upper-middle-class homosexuals. Inspector Walter Bishop, head of the morals squad, says the last club raid took place two years ago at a club where patrons were found "on the floor." Pay-offs have almost entirely stopped, say bar owners. Similarly arrests have dropped. Male homosexual arrests in 1960 totaled 496; in 1968, 69. Today, sodomy is becoming as rare a charge as heresy; a lesser charge like disorderly conduct or loitering is customarily substituted.

But laws against homosexuality remain on the books. Just last week, the Alcoholic Beverage Commission suspended a gay club's license on 11 counts, one of which was indecent language and acts. In 1969 this means using four-letter words in sexually sugges-

tive statements over the microphone and a male customer touching another male's groin and making provocative remarks.

Just as gay night spots have proliferated in recent years, so have bookstores, because of liberalization of pornography laws. Washington now numbers 24 shops selling erotic material, some of it slanted toward homosexuals. Whereas 10 years ago complete nudity was prohibited in magazines, nowadays beefcake—the masculine equivalent of cheesecake—can show anything with the exception of sexual acts, evidence or intent thereof. (No comparable magazines exist for lesbians because women, say pornographers, are not aroused by nude pictures.)

A clothing store, founded three years ago, specializes in gay apparel as well as more conventional attire. It does not carry leather-and-chain sado-masochistic clothing popular on the West Coast and also worn by some Washington homosexuals.

Buttons and bumper stickers with "Gay is Good" have been circulated since last summer. And the steam bath, which a homosexual reporter described in the *Los Angeles Advocate* as "sex on the assembly line," has also made its appearance here within this period.

These innovations, which affect only a minute percentage of the population, do not, per se, constitute a homosexual revolution. Rather, they should be regarded in the light of the total social upheaval currently taking place in this country.

What is more important than the changes themselves is the attitude toward them, both on the part of homosexuals and the world at large. Therein lies the revolution, of which the new militancy and openness are merely the methods.

[From the *Washington Post*, Oct. 30, 1969]

#### UNDERSTANDING HOMOSEXUALITY

It took the National Institute of Mental Health's task force on homosexuality two years to produce a report, but finally, last week, it issued a set of recommendations to help the United States catch up with other civilized nations in understanding this complex problem: that discreet homosexuality between consenting adults be considered "the private business of the individual rather than a subject for public regulation through statute"; that current restrictive job policies regarding homosexuals be reviewed and revised; that when homosexual behavior does require sanctions, "preference is given to rehabilitation rather than imprisonment," and that the study of homosexuality be included in future general studies of sexual behavior.

Recent evidence indicates that homosexuals are being treated less harshly than in the past in some major cities, but the NIMH report underscores the fact that only nationwide concern can achieve true reform of the network of opprobrium and stigma that now haunts the nation's three to four million adult homosexuals. When the prestige of federal attention is lent to the issue—for example, through the relaxation of government employment restrictions in some non-security areas—individual states may feel moved to review their own laws as well.

Changing laws alone cannot relieve all the disadvantages now suffered by homosexuals or solve what the task force called "a major problem for our society." But it would be a start, as it has been in Britain. Then rational and mature people on all levels may be willing to break the traditional taboos against discussing homosexuality. And that might even result in development of more tolerant and progressive social policy.

#### LEVITICUS 18: 22-30

22. Thou shalt not lie with mankind as with womankind; it is abomination.

23. Neither shalt thou lie with any beast to defile thyself therewith: neither shall

any woman stand before a beast to lie down thereto: it is confusion.

24. Defile not ye yourselves in any of these things: for in all these the nations are defiled which I cast out before you:

25. And the land is defiled: therefore I do visit the iniquity thereof upon it, and the land itself vomiteth out her inhabitants.

26. Ye shall therefore keep my statutes and my judgments, and shall not commit any of these abominations; neither any of your own nation, nor any stranger that sojourneth among you:

27. (For all these abominations have the men of the land done, which were before you, and the land is defiled;)

28. That the land spue not you out also, when ye defile it, as it spued out the nations that were before you.

29. For whosoever shall commit any of these abominations, even the souls that commit them shall be cut off from among their people.

30. Therefore shall ye keep mine ordinance, that ye commit not any one of these abominable customs, which were committed before you, and that ye defile not yourselves therein: I am the Lord your God.

#### LEVITICUS 20: 13

13. If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death; their blood shall be upon them.

#### PROGRESS IN RURAL ELECTRIC FINANCING

(Mr. FINDLEY asked and was given permission to extend his remarks at this point in the *RECORD* and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, the rural electrification program is a fine example of a progressive program enriching the economy of the country through joint action of the people and their Government. This dynamic program was started in 1935 to provide a means of furnishing dependable electric service to unserved rural areas of the United States. The Federal Government made the capital available through long-term loans. The people of rural America developed the organizations, the leadership, and the many other tangible and intangible ingredients which contribute to the success of a new undertaking.

As a result of this joint venture, efficient and dependable central station electric service has been made available to millions of rural residents and many rural businesses. Each of the rural electric systems is an independent local enterprise, owned and operated by the consumers it serves. The Federal Government, through the Rural Electrification Administration, has a lending program which has a record of payment of principal and interest that is unsurpassed in the history of credit agencies, both private and public. Because of the accomplishments of this program, rural America is a better, more comfortable place to live and to earn a living. The future of rural America looks good, and this too is to a great extent attributable to rural electrification.

But this is not the end of the story. Much remains to be done. The dynamic men and women who are leaders in the rural electrification program realize that

they face a continuing challenge. Their systems require constant upgrading and strengthening to serve the ever increasing demand for more electric power.

These same men and women also have the opportunity and an obligation to provide encouragement and leadership for community economic development activities and enterprises. Economic growth and development is essential in rural areas and is in the national public interest. It will help curtail the migration of rural people to metropolitan areas, which already have more problems than they can effectively solve.

Rural electric systems are consumer-owned electric utilities. Because of this they will need large amounts of capital for growth and development in the future. The Rural Electrification Administration has made an outstanding contribution through loans for capital improvements to rural electric systems. However, it is now recognized that the REA cannot be expected to provide all the funds required for capital improvements in the future.

Leaders in the rural electrification program have become increasingly aware of this and have worked diligently for the past several years to obtain a source of financing to supplement the capital funds being loaned these systems through the REA.

The National Rural Electric Cooperative Association, representing nearly a thousand rural electric systems, created a long-range study committee 2 years ago as one step in the search for a program of supplementary financing for rural electrification. This committee was composed of 26 outstanding leaders in the rural electrification program from all sections of the Nation, including several from my home State, Illinois.

In March of this year, by an overwhelming majority, the NRECA membership adopted the report and recommendations of this long-range study committee. This report includes, for the first time in the 34-year history of the rural electric program, a set of comprehensive written objectives for the present and the future. The objectives deal with electric service, power supply, capital, territorial protection, electric power marketing, cooperative ownership and member relations, management and leadership organization, corporate citizenship responsibility, community development and services, and natural resources.

During the study, the committee held hearings throughout the United States and gave all rural electric systems, their members and other interested individuals and organizations an opportunity to present testimony on what they believed to be the problems of rural electric systems, to suggest solutions to the problems, and to spell out what should be the long-range objectives of the rural electrification program. From my own State of Illinois, a comprehensive statement was presented at the hearing of the committee held in St. Louis, Mo., by the Association of Illinois Electric Cooperatives on behalf of all the electric cooperatives in Illinois, by the Illinois

Agricultural Association, and by the Illinois National Farmers Organization.

Therefore, the report and recommendations of the long-range study committee represent the thinking, not only of members of the committee, but also of experts in the utility and finance field and of practically all rural electric systems and others interested in the rural electrification program.

This broad group of objectives represents a catalog of activities in which the rural electric cooperatives or their members should be taking an active role. Some of these objectives are already being carried out. Others are in the process of development. Rural citizens, acting individually or through their rural electric system, bear the responsibility of undertaking the action necessary to turn these objectives into meaningful and productive activities.

To implement the objective on capital, the NRECA membership authorized the formation of the National Rural Utilities Cooperative Finance Corp. to provide funds to supplement the existing REA loan program. I had supported earlier efforts to develop sources of additional capital and I endorse this new proposal.

It resembles closely a proposal I made 10 years ago to a statewide meeting of rural electric cooperative leaders in Jacksonville, Ill.

Articles of incorporation were filed in the District of Columbia on April 10, 1969, and the incorporator-directors elected their officers. NRUCFC is a self-help finance organization. The rural electric cooperative members will subscribe to capital term certificates which, along with membership fees, patronage capital and open market financing, will provide funds to be lent to rural electric cooperative member-borrowers. The interest rate to be charged on such loans will be determined by the cost of money to NRUCFC.

Subject to arrangements with REA, all applications first will be submitted to REA, which will be asked to make initial determinations on whether the loan purposes are within the Rural Electrification Act and whether the application meets the standards for 2-percent, 35-year loans established by REA. Such an arrangement is logical and reasonable in view of the fact that under present procedures, with REA holding a lien on all present and after-acquired property of a borrower, it is necessary for REA to give a borrower permission to utilize another financing source.

On June 11, 1969, I wrote to REA Administrator David A. Hamil:

The feasibility of developing the finance corporation into an effective source of additional funds seems to hinge upon a decision which you have the authority to make. Presently, REA loans have a prior lien over all other obligations to the party borrowing the funds. If the finance corporation is to effectively supply the much needed capital, it appears that it will be necessary for its obligations to share the prior lien position with REA loans.

I do not believe that this would in any way jeopardize or degrade the government's lien position on property financed by REA, and therefore I believe it is within your administrative jurisdiction to make this shar-

ing of the prior lien position possible. I do hope that you will give this every consideration because I can see enormous benefits accruing to many rural areas which desperately need these additional funds and which may otherwise be unable to secure them during these times when the federal budget is under so much pressure.

Administrator Hamil subsequently endorsed REA cooperation with the new Cooperative Finance Corp. In a memorandum to all REA field personnel and other key staff members on July 30, he confirmed this support and provided information about the CFC.

I am informed that REA is now working out the necessary procedures which will permit coordination of the Government's lending program with the supplementary financing which CFC will provide.

Meanwhile, 563 rural electric systems have filed for membership in the new self-financing organization. In Illinois, 24 of the 30 service groups eligible for membership in CFC have already applied for membership.

I wish to congratulate the rural electric systems and their farsighted leaders for their initiative and perseverance in developing new approaches and new tools to meet their responsibilities. Over 25,000 families are served by electric cooperatives in my congressional district. An adequate source of electric power is absolutely essential to the general welfare of my district and all of rural America. The successful establishment and operation of the National Rural Utilities Cooperative Finance Corp. will enable the rural electric systems in Illinois and in the United States to meet their obligations in the future as well as they have in the past.

I am pleased that leaders of all cooperatives serving my own Illinois congressional district such as Illinois Rural Electric Co., with headquarters at Winchester; Adams Electrical Cooperative, Camp Point; M. J. M. Electric Cooperative, Inc., Carlinville; Menard Electric Cooperative, Petersburg; Rural Electric Convenience Cooperative Co., Auburn; and Western Illinois Electrical Coop., Carthage, have seen fit to join this financial institution in a self-help effort to ensure that the capital needs of these cooperatives are met in the future to insure the availability of reliable electric power for the rural areas of Western Illinois.

I wish also to commend the leadership the electric cooperatives in Illinois have taken in this endeavor and, particularly, Raymond W. Rusteberg of Valmeyer, president of Monroe Electric Cooperative, Inc., Waterloo, Ill., and former president of the Association of Illinois Electric Cooperatives, Springfield, Ill., who has served as an incorporator and is a member of the board of directors of the CFC during its formative period. The National Rural Utilities Cooperative Finance Corp. is in the finest American tradition, building on the foundation set in the early days of rural electrification—joint action by the people and their Government—with a new emphasis on private, independent financing.



The progress already achieved in the development of this institution merits the attention and the applause of all who are concerned for rural progress, and especially those who recognize that Federal financing alone will not suffice for the expanding needs of rural electric co-operatives.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. REID of New York (at the request of Mr. RUTH), for 1 hour, on November 5; to revise and extend his remarks and include extraneous matter.

#### EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SIKES on H.R. 7618.

Mr. CHARLES H. WILSON on H.R. 11548.

Mr. NEDZI on H.R. 8664, H.R. 9564, H.R. 8662, and H.R. 10317.

(The following Members (at the request of Mr. RUTH) and to include extraneous matter:)

Mr. WIDNALL in two instances.

Mr. LLOYD.

Mr. SCHWENGEL in three instances.

Mr. ANDERSON of Illinois in two instances.

Mr. TALCOTT in three instances.

Mr. MINSHALL.

Mr. DAVIS of Wisconsin.

(The following Members (at the request of Mr. ANDERSON of California) and to include extraneous matter:)

Mr. STEED in two instances.

Mr. TEAGUE of Texas in six instances.

Mr. MONTGOMERY.

Mr. CORMAN in five instances.

Mr. GIAIMO.

Mr. RARICK in three instances.

Mr. LOWENSTEIN in five instances.

Mr. HUNGATE in two instances.

Mr. BYRNE of Pennsylvania.

Mr. Boggs.

#### ADJOURNMENT

Mr. ANDERSON of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 36 minutes p.m.), the House adjourned until tomorrow, Tuesday, November 4, 1969, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

1306. Under clause 2 or rule XXIV, a letter from the Chairman, Indian Claims Commission, transmitting the annual report of the Commission, for fiscal year 1969, was taken from the Speaker's table, referred to the Committee on Interior and Insular Affairs.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HORTON:

H.R. 14638. A bill to provide Federal leadership and grants to the States for developing and implementing State programs for youth camp safety standards; to the Committee on Education and Labor.

By Mr. PATMAN:

H.R. 14639. A bill to establish a development bank to aid in financing low- and moderate-income housing, employment op-

portunities for unemployed and low-income citizens, and public facilities in certain urban and rural areas; to the Committee on Banking and Currency.

By Mr. RYAN (for himself, Mr. BINGHAM, Mr. BROWN of California, Mr. BURTON of California, Mrs. CHISHOLM, Mr. CONYERS, Mr. EDWARDS of California, Mr. FARBERSTEIN, Mr. ROSENTHAL, Mr. ROYBAL, and Mr. SCHEUER):

H.R. 14640. A bill to prohibit the procurement of California table grapes by the Department of Defense; to the Committee on Armed Services.

By Mr. VAN DEERLIN (for himself and Mr. HANNA):

H.R. 14641. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. KOCH (for himself and Mr. LOWENSTEIN):

H. Res. 609. Resolution in support of a cease-fire and accelerated U.S. troop withdrawal from Vietnam; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. BURTON of California introduced a bill (H.R. 14642) for the relief of Severina Viray Manansala and her husband, Ciriaco Anicete Manansala, which was referred to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII,

314. The SPEAKER presented a petition of Henry Stoner, York, Pa., relative to an investigation of procedures for commitment to State mental institutions, which was referred to the Committee on Rules.

## EXTENSIONS OF REMARKS

### SHIRLEY MARSH—A PUBLIC MAN

#### HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Monday, November 3, 1969

Mr. MAGNUSON. Mr. President, the residents of the southwestern portion of my home State of Washington have recently been saddened by the passing of a man of great stature. Shirley Marsh was a man of many talents—warm, understanding, and dedicated to the growth and development of Cowlitz County. Mr. Marsh's interests were many, and his talents, as pointed out in an editorial published in the Longview Daily News of August 20, 1969, were well refined.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### SHIRLEY MARSH—A PUBLIC MAN

The man with an engaging smile and a twinkle in his eye would frequently lean close to whoever he was talking to, remove

the cigar clenched between his teeth and say, "Between thee and me, well I . . ."

And when Shirley Marsh was serious, whoever he was talking with listened and listened well. Because when Shirley Marsh was talking politics, power, area problems or the law, he knew his stuff and people knew it.

Now Shirley Marsh is gone and all of Cowlitz County will be poorer for it. While he was widely known and admired around the county and indeed, around the state, relatively few persons understood where his influence came from.

Mr. Marsh was more than an attorney and civic leader. He was a political person. He had one of the shrewdest political minds around. He understood the political processes thoroughly and used them time and again not only for his party's benefit, but more often to help someone else or his native county he loved so dearly.

When he served in the legislature, leaders of both parties held him in high esteem because of his abilities. This respect and admiration continued even after he left the legislature. It proved beneficial to the area and to dozens of individuals with problems over the years. Often the way to get a problem solved was to "see Shirley" because he knew who to call or talk to.

In recent years, Mr. Marsh turned his interests to the PUD—where he was legal counsel—and the city of Longview, where he was

president of the Chamber of Commerce. In both bodies, he worked efficiently and effectively for progress and community improvements.

For all his ability and positions, Mr. Marsh never lost touch with people. He seemed to be everyone's friend—the man in the street or the governor of the state. And he greeted nearly everyone with that same engaging smile and twinkle in his eye. Because he was a Democrat, some Republicans came to know that when Mr. Marsh put his talents to work, it usually meant woe for the GOP.

Shirley Marsh, then, was a public man. He spent his life in the public arena and loved it. His death leaves a void that will not be filled soon.

#### IOWA ARTS COUNCIL

#### HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 3, 1969

Mr. SCHWENGEL. Mr. Speaker, the Iowa Arts Council is a relatively new agency of the State government in Iowa. In its short life, it has made some rather significant contributions. These contri-